NATIONAL REVIEW

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March 11, 1961

A JOURNAL OF FACT AND OPINION

The Connally Amendment

VINCENT F. DeCAIN

Formosa and the Defense of Free Asia

JEAN BAYLOT

Mark Twain and Socialism

MAX EASTMAN

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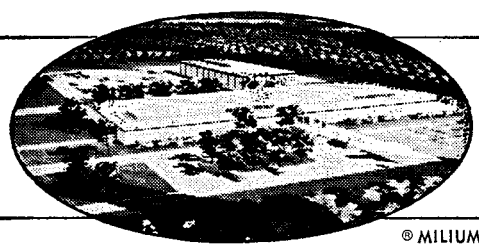

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NATIONAL REVIEW

A JOURNAL OF FACT AND OPINION

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NATIONAL REVIEW is published weekly by National Review, Inc. at 440 Post Road, Orange, Conn. (second class mail privileges authorized at Orange, Conn.) Copyright 1961 in the U.S.A. by National Review, Inc. All manuscripts, letters, subscription orders, changes of address and undeliverable copies should be sent to:

EDITORIAL AND CIRCULATION OFFICES
National Review
150 East 35th St., New York 16, N.Y.
Telephone ORegon 9-7330

RATES: $15.00 a year ($8.00 for the 32-page issues, and $7.00 for the 8-page issues published on the alternate fortnights). The 8-page issues are available separately at $10.00 a year. In all cases, add $1.00 for Canada, $2.00 for other foreign subscriptions.
The editors cannot be responsible for unsolicited manuscripts unless return postage, or better, a stamped, self-addressed envelope is enclosed. Opinions expressed in signed articles do not necessarily represent the views of the editors.

In This Issue . . .

➔ That perennial target, the Connally Amendment (what an amazing amount of fuss those six small words have managed to stir!) gets a meticulous, fact-filled going over from **Vincent F. DeCain.** The 1961 campaign for repeal got under way two weeks ago with publication of Justice William O. Douglas' *The Rule of Law in World Affairs,* and will soon shift to the Senate halls. Mr. DeCain, LL.B. (Fordham), LL.M. (NYU), whose first published article this is, works for the West Indian Telegraph Company. (In an early issue there will follow a companion piece on world government by Cornell Professor Walter F. Berns.) . . . From France, where it has just been printed in the admirable *Est et Ouest,* comes an appraisal, by **Jean Baylot,** of Free China (what an amazing amount of fuss those few small islands have managed to stir!). M. Baylot, recently returned from Formosa and Quemoy, plunges under the competing slogans, and brings to surface the economic, political, social and strategic truths about Free China . . . In double-barreled reply to the complaints from a good many readers about NR's failure to supply them with enough reprints, *both* of these articles — which could add so much enlightenment to so many on two problems of such current controversy and moment — will be available, Mr. DeCain's as a twelve-page pamphlet.

➔ The able and influential editor of the *Richmond News-Leader,* **James Jackson Kilpatrick,** reflects on slow inner changes, at a level much deeper than court decisions, that are taking place in the South, in the mutual relations of the races . . . Three songs for winter-time are the insouciant contribution by **David Cornel DeJong,** many of whose poems will be published later this year in not one but two collections, *Outside the Four Walls of Everything* and *Deciphering the Elephant,* along with one or two children's books. He is presently making translations of a collection of poems by young Flemish and Dutch writers.

➔ Our book section leads off with an essay by an old friend whose name has been too long absent: **Max Eastman** on Mark Twain and socialism . . . **Priscilla Buckley** somehow found time from her arduous tasks as NR's managing editor not only to read but to write about Helen Woodward's sharp history of our women's magazines . . . Mr. Kilpatrick reappears, this time as subject, as **Francis Russell** reviews his new book on one of our industries — the mass manufacture and distribution of smut — that continues to flourish in spite of the recession . . . **Peter Melik** writes of the fashionable and perhaps faddish playwright, Ionesco, just arrived on Broadway from his European triumphs with *Rhinoceros,* one of the few hits of a rather dismal season.

➔ And we will let our ads speak for themselves. (NR thinks *all* of them fascinating reading.) ➔

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An Important Announcement

Despite the narrow Democratic victory in the Presidential election, the new Congress is actually more conservative than the last one. There are exciting new faces on the Washington scene—brilliant young freshman Congressmen from many parts of the country, determined to stop America's drift toward bankruptcy and appeasement. Conservatives will be thrilled to follow the careers of these young legislators in the months and years ahead; are there future Senators—perhaps even a future President—among them?

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The WEEK

● On February 12 there appeared simultaneously in the *London Observer* and the *New York Herald Tribune* (quickly re-echoed throughout the non-Communist world) a feature article by the English Kremlinologist, Edward Crankshaw, under a streamer head, "Basic, Bitter Russia-Chinese Split Revealed in 'Leak' via Satellite." Mr. Crankshaw wrote that "there has come into British hands a fully-documented report of the charges and counter-charges exchanged by Peiping and Moscow at the Moscow conference . . . in November and December of last year." He continued with a sensational five-thousand-word Inside Story. A child should have known at first glance that the document used by Mr. Crankshaw was a fraud and forgery, concocted by the MGB, and leaked to the West to serve the political objective so blatantly revealed in the key words so obligingly broadcast by Mr. Crankshaw: "The bitterness of the Red Chinese attack . . . the wholly callous manner in which the Red Chinese spoke of the necessity of war contrasted with Mr. Khrushchev's impassioned evocation of the perils of nuclear war, his insistence that he was absolutely sincere about disarmament ('the only true humanism') and his emphasis on coexistence." Seldom has there been so abject an instance of the voluntary submission of the Western communication system to the uses of the Kremlin. All this was obvious at one quick reading. We are subsequently informed that the forgery was initially foisted on American intelligence operatives in Europe, and through them leaked to the public press. So?

● "If you stop long enough before the window of the Italian Tourist Bureau," says Senator Magnuson, arguing for stepped-up promotion of U.S. tourist attractions, "before you know it you're inside there and on your way to Italy." Hmmm. Can't say it ever happened to us.

● The Fair Play for Cuba Committee continues to lose members. A short while ago, investigation by the Senate Internal Security Subcommittee revealed that Fair Play had received direct financial support from top Castro agents in this country. Richard Taber, Fair Play's Executive Secretary, quickly packed his bags and fled to Cuba. Mrs. Barbara Collins of Miami, Florida, is the latest Fair Player to follow his example, after being served a subpoena to testify before the Subcommittee, which had information about her connection with pro-Castro Cubans and members of Castro's underground in this country. It will be interesting to see how much fair play Fidel gives his Fair Players.

● French Algerians, who judge they have had it politically, are taking to the life rafts. According to unofficial figures—the French government is not inclined to issue statistics of this sort—steel, auto and brick production were down 50 per cent in December (from December '59); production of bottled water, down 35 per cent; sales of household electrical equipment, as much as 80 per cent. A French resident of Constantine, writing to *Le Monde*, summed up the feeling in Algeria: "The major concern of the [Algerians of French descent] is to face up to the fact of departure. They are no longer living here, they are camping out."

● Veteran pro-Communist folk singer Pete Seeger, illustrating the fact that folk singing is a living art on a Channel 9 TV program the other night, swung into a rendition of a new ditty of his very own—a ballad about congressional witch-hunters. That ole time religion dies hard!

● The Kennedy Administration, says minority leader Senator Dirksen, "might talk the country into a recession." Communist China, Senators Morse and Aiken and Ambassador Adlai Stevenson keep saying, will inevitably be seated before long in the UN General Assembly. There are lots of things a nation can talk itself into—if it is well supplied with irresponsible talkers. As ours surely, surely is.

● "[As] this first Kennedy month ends"—so reads the *New York Times* editorial page on the date in question—"the world situation is more tense and more potentially explosive than it was when he took office." Well, let's bump it up to the level of generalization (and save the *Times* the trouble of pointing it out as the months roll by): *Under prevailing American policies, and no matter who is in office,* the world situation will every day, every week, *every* month, grow more tense, more potentially explosive.

● The cold war turned hot enough to sputter at a semi-official, very British conference in London last week, called to develop a "code of coexistence" governing East-West relations. Alexei Surkov, leader of the Communist delegation and secretary of the Soviet Writers' Union, gave a deep Russian bow and led off with a 19-page denunciation of Western policy toward the Soviet Union. A colleague, with Old World gentility, continued with an attack on Hammarskjold as "direct accomplice in the brutal murder of Patrice Lumumba." Alexei Adjubei, son-in-law of Nikita (Soft Shoe) Khrushchev, and editor of

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Izvestia, charged that the luggage of 31 Soviet students was ransacked in a London hotel. This was too much even for Sir William Hayter, English chairman of the conference. In accents verging on the non-U brink, he flung back the charge that the trousers belonging to a British labor delegate had been stolen recently in a Leningrad hotel. Georgi Zhukov summed up the situation. Peaceful coexistence, he said, is "as nonsensical as fried snowballs."

● The White House has asked sixty-seven members of the domestic and gardening staff to sign an agreement not to "engage in publicity which might adversely reflect on the White House as a national monument." This agreement does not apply to the Presidential staff, and so a natural monopoly of the materials of history falls to Presidential assistant and professional historian Arthur Schlesinger. Yet the discretion of the servant is no substitute for the discretion of the master, and it does not seem too much to ask that the official occupants of the White House also refrain from activities that might adversely reflect on the White House as a national monument.

● The Israeli Government will grant official admission to the Eichmann trial to tourists who sign up (for $2,000) as members of The Eichmann Trial Seminars—a package tour being marketed jointly with the international airlines. The seminars open in Paris with an evening of nightclubbing, continue to Versailles, and a tour of Paris. Next case study: Rome, with dinner at Alfredo's and a tour of the city, the Vatican, Tivoli, and a morning's shopping. On to Greece (Athens, Daphni, Eleusis, Kinetta Beach, Corinth, and a visit to a nightclub). After ten days of this, including one morning in each country devoted to briefing on the Eichmann story, the judicial pilgrim arrives in Israel to meet the Minister of Justice, attend a seminar at the Law School of Hebrew University, make a tour of the vicinage, and present himself for official admission to the Trial, which starts April 11. The Israeli Government has signed an agreement with a New York company (Capital Cities Broadcasting Corp.) that will make exclusive recordings of the trial and distribute preselected excerpts to all broadcasting and motion picture firms in the world. Originally the company asked $160,000 from each U.S. network for this service. By negotiation this price has been cut to $50,000. They must have known a chap who could get it for them wholesale.

● Democratic Party National Chairman John M. Bailey, speaking for the party, says, "We must not only be solvent, we must have reserve funds as well." Pshaw, he could borrow. After all, debt isn't debt if you owe it to yourself.

Common Sense, By a Nose

By a five to four vote, last week, the Supreme Court upheld contempt convictions of Frank Wilkinson and Carl Braden for refusing to tell the House Committee on Un-American Activities whether they were Communists. Wilkinson and Braden, whom the Committee had reason to suspect as Communists, argued that the congressional investigation was an infringement of their right to free speech under the First Amendment. The majority opinion, pointing to the history of Communist subversion, supported the right of Congress to investigate the Communist threat in order to pass remedial laws. The minority opinions —one by Justices Black, Douglas and Warren, and a narrower brief by Justice Brennan—rested heavily on the absolute inviolability of the First Amendment rights.

The dissenting Justices undertook to conjure up the motives of the House Committee. They decided that the Committee members sought mainly to punish Wilkinson and Braden for publicly criticizing the Committee and urging its dissolution; and so they found the Committee's investigation an unconstitutional abridgement of the right to free speech. The dissenters, resting their case on what must be telepathic knowledge of congressional motives, imply that it is legal to investigate a Communist but not legal to investigate a Communist who is opposed to the House Committee.

We may rejoice, though with a careful eye on the razor-thin margin, that the Court on this occasion reasserted law and common sense, and undid some of the damage of *Watkins.* But it is not a little distressing to learn that in the year 1961 the Supreme Court harbors at least four Justices—and the narrow terms of the majority opinion do not exclude its being rather more than four—who still have so little knowledge of the Communist enterprise that they deem it a problem in the exercise of free speech. And it is unnerving to reflect that some of the Justices who signed this majority opinion will soon retire, to be replaced by an Administration which has shown so strong a partiality in its appointments for the directors of Americans for Democratic Action, whose most prominent legal light has long been Joseph L. Rauh Jr.

On the same day it handed down the Wilkinson and Braden decisions, the Supreme Court tendered a surprise bouquet to those who have anxiously witnessed the steady growth of federal jurisdiction in local matters. For the Court decided (7-2, Justices Douglas and Warren alone dissenting) that the use

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of evidence acquired by wire-tapping, although illegal in federal courts, was legal in state courts, unless state law prohibited. The act of wire-tapping, even when performed by state officers under state approval, remains contrary to federal law; and there is some doubt whether it is logical to admit as evidence what it is illegal to acquire as evidence. Nevertheless, it is not necessary to digress into the logic of the case, nor to come out in favor of wire-tapping, to congratulate the Court on its recognition that there is a difference between the jurisdiction of the states and the jurisdiction of the federal government. For this sort of decision, our appetite is gluttonous. Next case: schools?

Charade Ending?

In NATIONAL REVIEW's usual unwelcome role of Cassandra to our time, there are occasional if rather melancholy satisfactions. Harsh though the content of prophecies may be, we suppose that even Priam's unbelieved daughter found a certain intellectual interest in observing them fulfilled. To that cold, observing mood, a measure of warmth and fellow-feeling is added if at the same time there are others who become willing to see the previously rejected truths: if enough others, indeed, it may become possible for the harshest of the truths to be altered somewhat in the direction of our hearts' desires.

From the beginning last summer, NATIONAL REVIEW has told the truth, and in advance, about the Congo, in particular about the nature and consequences of UN operations in the Congo. Many of these truths have been distasteful, and some of them very difficult of acceptance even by those in general agreement with what NATIONAL REVIEW has to say. How could it possibly be, it seemed to almost everyone, that the UN in the Congo could truly be injuring Western interests and serving Communist interests, when the Communists were conducting a ferocious attack on the UN and its Secretary General? And, granted, this has not been easy to understand; it is quite natural that few should have believed it.

In the last fortnight patches of blue have opened, in several quarters, in the overcast sky of public opinion. Stewart Alsop tells readers of the *Saturday Evening Post*: "The UN is widely advertised as being 'neutral' and 'above politics'. . . . It is neither. There is no such thing as neutrality in a situation like that in the Congo, if only because, if you prevent A from shooting at B, you are obviously helping B. . . . The present situation is an impossible one. For why should we subsidize the UN in the Congo, while the UN in turn engages in a continual vendetta with the pro-Western regime which we recognize and support?"

Or Marguerite Higgins, February 27, in the *New York Herald Tribune*: "After a pained second look Washington has begun to suspect that there was self-serving method in the strange docility of the Soviet Union in failing to veto the Security Council resolution authorizing the UN to use 'force if necessary' to prevent civil war in the Congo. And this uncharacteristic acquiescence . . . has direct relation to the complicity—possibly unwitting—of Rajeshwar Dayal, the UN on-the-scene commander in the Congo, in the breathtakingly rapid spread in the Congo of the power of the Communist-dominated regime of Antoine Gizenga."

Then the Yankee thunderer himself: "The UN command in the Congo, under the direction of Mr. Hammarskjold's representative, Mr. Dayal of India, interprets the Security Council's decision as a directive to immobilize all forces in the Congo except those of the Lumumbist regime in Stanleyville, backed by the Soviets and President Nasser." (*New York Times*, Feb. 28.)

To give a spicy fillip, Herblock, yes Herblock, had for his February 28 cartoon the picture of a sissified UN looking carefully away as an armored car, labeled "Communist Conquest of the Congo,"

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levels its guns at a surrendering black man.

These four having shown the way, there will soon be scores scrambling to follow.

It all sounds almost as if it might have appeared in NATIONAL REVIEW's pages. Come to think of it, it did appear there, many months ago. And now, we wonder, what is it going to be tomorrow with the Alsops, Marguerite Higgins, Herblock, and those who speak after them, when the problem of the Congo becomes, as Moscow and the UN will surely act to try to make it become, the problem of Kenya and the Rhodesias and Algeria?

And who besides NATIONAL REVIEW will draw the obvious and inevitable lesson: that the UN cannot act for the West in Africa; that in Africa—and not only in Africa—only the West, only its own wisdom and power and resolution, can defend the West.

Taxes, Tools and Jobs

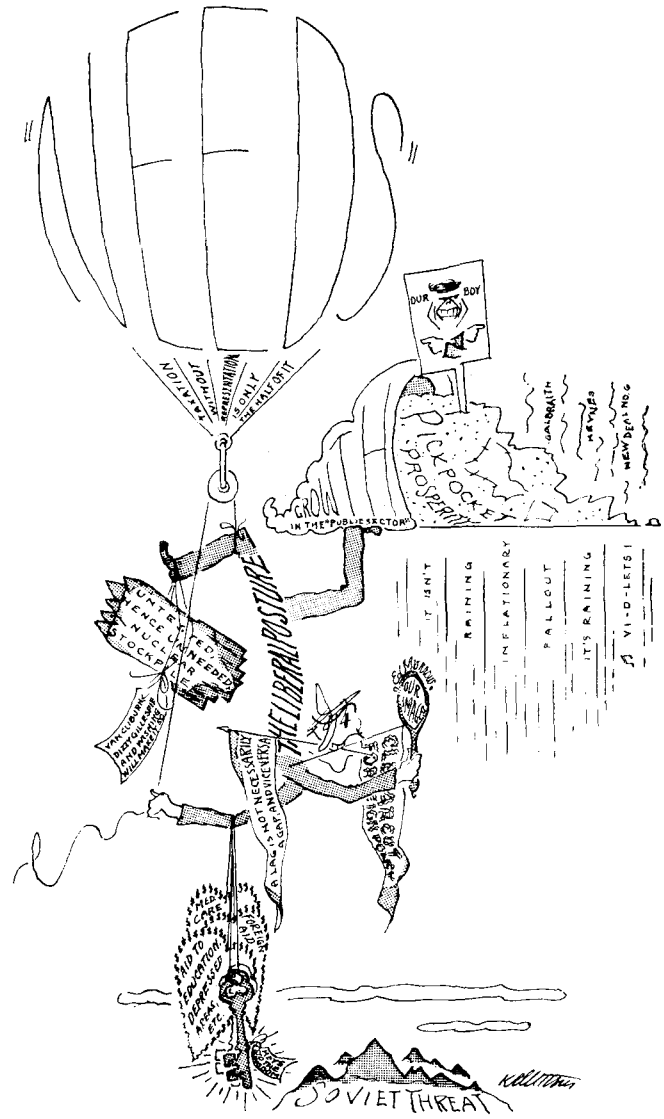
During its lengthy seminar at Bal Harbour, Florida, the AFL-CIO Executive Council turned its scholarly attention to the national economy and to President Kennedy's advocacy of tax incentives to spur business investment, and it did not like what it found. Higher depreciation rates or other tax incentives to encourage business investment would be "unsound," says the AFL-CIO. Indeed, the Treasury's 1954 revision of depreciation rates went "well beyond any reasonable concession to business."

In estimating the reasonableness of "concessions to business," it might be wise, even from organized labor's particular perspective, to remember some critical items: 1) it now takes over $20,000 of fresh capital investment to provide industrial employment for one worker; 2) economists judge that the industrial plant of this country is one-third obsolete and that we need $100 billion of capital investment to modernize our plant; 3) the depreciation allowances in the United States are lower than in any industrialized country in the non-Communist bloc; 4) we cannot compete successfully on the world market unless we lower costs; 5) granted (as presumably the AFL-CIO will grant) that we don't want to lower costs by reducing wages, the only plausible alternative is to upgrade our plant; 6) employment does not mean keeping a man busy, but putting him to work producing goods and services at prices low enough to attract the market; 7) if tax laws and labor laws make it uneconomic for private management and capital to create new employment opportunities, the only other source of jobs is the government—at lower real wages, and no strikes allowed.

But this careless statement of the AFL-CIO can be forgiven. After all, the weather in Florida has been seductive in recent weeks, and the purpose of a winter vacation is to get away from things. Here's hoping the Executive Council returns to its desk refreshed and relaxed, and ready to pitch into the work of getting back to reality.

Secretary Daedalus Settles

Labor Secretary Goldberg, the New Frontier's official Dove of Peace on the labor front, can celebrate another victory: settlement of the airline flight engineers' strike. Not a settlement, really, but a procrastination accompanied by the requirement that airline managements give up the right to penalize those few whose irresponsible refusal to work led to the layoff of 84,000 employees, the disruption of travel plans for more than a million passengers, and the loss of millions of dollars of revenue in an in-



"If you think this is ridiculous, watch my antics when somebody asks me a couple of questions!"

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Footnote to *Brown* v. *Board of Education*

In the Fall number of the *Villanova Law Review*, Professor Ernest van den Haag (of New York University) wraps up an extended argument he has been having with Professor Kenneth Clark (of the College of the City of New York), over the years since the Supreme Court voted, in *Brown* v. *Board of Education*, to deconstitutionalize separate public schooling for Negroes and whites. The dispute between the two gentlemen had reached the "Dear Sir, You Cur" level of intensity. But the combatants are scholars, and the brawl was, appropriately, conducted in books and learned journals; and every time either called the other a fool or a knave, the charge was deeply footnoted. Well, the last round has been fought, and Professor van den Haag is clearly the winner. And the victory is of stunning consequence.

Professor Clark is a social scientist who played a major role in *Brown* v. *Board of Education*. The Supreme Court was looking for "scientific" evidence to "prove" that Negro children are made to feel inferior by segregated education. Mr. Clark stepped forward to furnish the "proof." Nine out of sixteen little Negro children in South Carolina (Clark's survey reported), having been given white and black dolls to choose from, selected the white doll as the "nice one"; seven of the sixteen picked the white doll as the one that "looked like" them. That test, Clark summed up, harmonizes with other more extensive doll-tests conducted in segregated Arkansas and integrated Massachusetts, and so it may be assumed that "a fundamental effect of segregation is basic confusion in the individuals and their concepts about themselves conflicting in their self images." Chief Justice Warren cited Clark as an authority for the basis of his decision—that personality damage was being done on Negroes by segregation laws, without due process.

Professor van den Haag looked up the Arkansas and Massachusetts tests—and found the results exactly contradicted Professor Clark! A higher percentage of the Negroes in the Massachusetts school picked the white dolls, than in the Arkansas school. Thus if the doll test is valid as a mean of indicating what kind of schooling enhances a Negro's self-respect, the data tend to favor segregated schooling!

But this, of course, is nonsense. How do we know it is? asks Professor van den Haag. By consulting our common sense. It is obvious Negroes aren't better off as Negroes than they would be as whites, which is what it comes down to. But he goes on to make two points. The first is that Professor Clark defrauded the Supreme Court, and blackened the eye of his profession by lending the prestige of social science to a pseudo-scientific survey whose findings were misread to serve tendentious purposes. The second is that the doll-survey—and the whole enterprise of which it is merely a part—sheds little light at all on the grave problems toward which, in May of 1954, the Supreme Court adopted an official mindset that is likely to affect, adversely, our understanding of race relations for a generation or more.

Take the black doll business. It means nothing. "Control tests [which were not taken] . . . might have established an alternative explanation for the identification of white with nice, and black with bad: in our own culture and in many others, including cultures where colored people are practically unknown and cultures where white people are practically unknown, black has traditionally been the color of evil, death, sorrow, and fear. People are called 'blackguards' or 'black-hearted' when considered evil; and children fear darkness. In those same cultures, white is the color of happiness, joy, and innocence. . . ."

Mr. van den Haag wonders, if it is sufficient to prohibit segregation merely to make a finding that the segregated Negro feels personally humiliated by the segregation laws, then why is it not sufficient to prohibit compulsory congregation (the effect of *Brown* in many communities) merely to make a finding that the coerced white feels personally humiliated by coercive association? And then, challenging the central assumption of the instant-integrationists—that prejudice is the result of misinformation—Mr. van den Haag says: in fact it isn't necessarily so. Sometimes misinformation is the *effect*, not the *cause*, of prejudice. "The slaughter of the Jews in Germany was not due to ignorance or preceded by segregation or avoided by contact. In times past . . . thousands of harmless old women were burned as witches. The people who accused them . . . who saw them riding through the air . . . were their neighbors, villagers who had known them long and well. Clearly, contact produces as much as it reduces prejudice." Men not only divorce their wives, after the most intimate and prolonged contact; some even, generalizing their particularized dislike, become misogynists.

Professor van den Haag terminates his exposure of Professor Clark in language applicable to all the coercive integrationists, high and low: "The best conclusion that can be drawn [from Mr. Clark's behavior] is that he did not know what he was doing; and the worst, that he did."

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dustry already hard hit by problems of the jet age.

The trend of Secretary Goldberg's actions is clearly visible, and one man who sees it clearly is Mr. Terrell Drinkwater, head of Western Air Lines. Terry Drinkwater refuses to accept the sprig of poison hemlock from the Dove of Peace, on the reasonable grounds that he has a right to take action against any group of employees who refuse to honor the terms of their contract. Western has long operated as a company dedicated to its community, drawing its personnel and its directors from the major areas it serves, and priding itself on its kinship with its market. Autonomy of this kind is not easily invaded, even by Doves of Peace.

Mr. Drinkwater deserves support in his stand against arbitrarily imposed federal "settlements" that invade the right of management, consumers and communities to protect themselves. In the short run the traveling public is hurt because Western is not flying; in the long run it is hurt more grievously if Western flies under the management of Secretary Goldberg.

The Party Waits

At the conclusion of their talks last week, French President de Gaulle and Tunisian President Bourguiba announced that "there exist possibilities and hopes for a rapid evolution of the Algerian situation." The world applauded, but is there really cause for Western jubilation? Even apart from the human element—the plight of several million French *and* Arab Algerians who will be abandoned to the mercies of the rebel terrorists—will de Gaulle's Algerian solution be a net gain or loss to the Communist drive for world domination?

We have received a convincing analysis of the situation from Jean-Marie Desselas, a French journalist familiar with the activities of French Communist leaders. M. Desselas examines the recent expulsion from the French party of the so-called Servin-Casanova group. The results of the January referendum on Algeria showed that many French Communists had refused to follow party orders to oppose de Gaulle. The reason, says M. Desselas, is that the party did not, in fact, mobilize wholeheartedly against the referendum. There were no meetings, no demonstrations, no slogans scrawled on the walls of buildings, no strikes called. The explanation: although the French party ostensibly opposes the de Gaulle government, it views with satisfaction de Gaulle's attacks on NATO, his opposition to the concept of a united Europe *and above all the Algerian developments.* Party theorists believe the current negotiations will lead first to an Algerian Republic and then to a People's Democracy of Algeria.

This "support, no-support" of de Gaulle makes for certain tactical difficulties, says M. Desselas. The French Communists want to help maintain de Gaulle in power without the kind of open espousal which would arouse non-Communists to the dangers of the current situation. And this means that the party has had to accept certain temporary defeats—such as the meager Communist showing in the referendum, and local electoral setbacks.

At this point certain of the younger Communists, long restive over the rigid leadership of Maurice Thorez and Jeannette Vermesch, tried to oust Thorez on the pretext that he was responsible for the recent party setbacks. But the maneuver backfired. Moscow, as always, threw its support to its faithful servitor, Thorez—and Marcel Servin and Laurent Casanova, the leaders of the dissidents, were ousted.

The new schism has seriously weakened an already staggered party. According to Auguste LeCoeur (a party member expelled in the mid-50s), the Communist Party in France has only 200,000 members today—down 700,000 from the Liberation figure. But M. Desselas warns that the debility of the French Communist Party does not lessen the danger to the nation since "the fellow travelers, the progressives, the admirers of Mendès [-France] etc., are numerous, unchastened and in every way more effective than the Communists."

Growing Up with Big Brother

Dr. Colin Clark, the internationally renowned economist and present director of research for the Econometric Institute, has published a paper ("The Real Productivity of Soviet Russia"), based on research work begun in 1937, that should, though it will not, silence those who believe that the way to "stay ahead of Russia" is to pump governmental fuel into our domestic economy.

"A statement which has now circulated so extensively that nobody ever questions it," says Dr. Clark, "is the proposition that the real product of the Soviet Union is growing at the rate of 6 per cent per year (some even make it higher) and that therefore it is mathematically inevitable that it must, within a [very] few years, overtake and then surpass the real product of the United States, which is only growing at the rate of 3½ per cent per year. It is the circulation of these statements about Soviet productivity which has provoked the belief, now held by a number of economists, that some extraordinary steps (of a nature not very clearly specified) should be taken to raise the U.S. rate of growth to 4 or 5 per cent per year."

But the 6 per cent rate for the Soviet Union is

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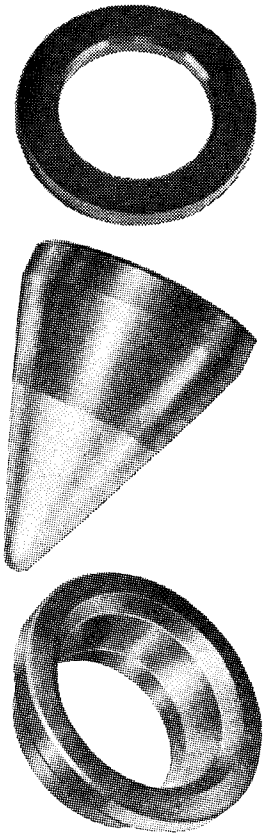

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an "illusion," says Dr. Clark, an illusion founded on the perpetual extrapolation of the rapid growth rate in the period 1948-1953, when Russia was recovering from the war. "We can, if we wish, select a period of still faster growth: namely, between 1933 and 1937." But, "over the whole period 1913-1956 the long period rate of growth averages 1.2 per cent per year. It may be contended—but not very plausibly—that the 1920s or the 1930s ought to be left out of the reckoning. If we reckon the productivity trends from 1928 or from 1939 we get figures of 1.7 or 1.6 per cent per year."

Dr. Clark compares these figures with the U.S. rate of growth, which has held steady at 2.3 per cent per year since the 1890s. Other countries with growth rates over 2 per cent are Australia, Belgium, Canada, Finland, France, Italy, Japan, Netherlands, New Zealand, Sweden, Switzerland and South Africa.

Among other findings: In Russia, "since the 1920s, there has indeed been a serious fall in productivity of the construction industry." "The Soviet Union now also has a lower rate of growth of population." "Japan started from an economic level, at the end of the nineteenth century, far lower than that of Russia, and with a predominantly free-market economy has been able to obtain a far higher rate of economic growth." Dr. Clark concludes: "The first effect of Communism, instead of enriching poor countries, is to take away from them some of that little which they have."

This informative Senate Judiciary Committee report is available for 20¢ at the Government Printing Office. In one way it supports the assumptions being made by many of the New Frontiersmen: that is, the sure way for this country to match the performance of the Soviet Union is to adopt its methods.

Sterling Morton, RIP

NATIONAL REVIEW lost an old and good friend through the death, February 25, of Sterling Morton; and the nation a splendid citizen, whose tested civic virtue was tempered by a warm humanity. His business career was one of those classic success stories that continue to prove that "land of opportunity" is neither propaganda or myth. His public interests and benefactions ranged from art museums to trees and historical research. His private philanthropies were innumerable. He believed in his principles, and lived by his beliefs: which were, we are glad to know, in most particulars ours. We look back with delight, as well as sorrow, to the last time we saw him, at an NR editorial luncheon, and chuckled with him at his delicious recollections of the final hours with Alf Landon in Topeka, the night the returns came in.

For the Record

Revealed at AFL-CIO Executive Council meeting, that many big unions in bad financial shape due to unemployment. Some running as much as $100,000 a month in the red. . . . Canadian unemployment in January reached 11 per cent. . . . Some U. S. farmers in northern states whose own land is in soil bank, transporting equipment across border to raise wheat in partnership with Canadians. . . . Good news for auto industry, the report that 5 million cars were scrapped in 1960. . . . Rumor spreading that J. Edgar Hoover will be retired in June, presumably because of friction between him, Attorney General Bob Kennedy. . . . Américá, journal of Pan-American Union, in February issue features reviews of two anti-U. S. books on Cuba, C. Wright Mills' Listen Yankee!, Leo Huberman and Paul Sweezey's Anatomy of a Revolution.

First two shiploads of Australian grain to arrive in Communist China distributed to troops. . . . Chinese Nationalists report that, of duds fired at Quemoy, Matsu, 80 per cent are of Soviet manufacture. . . . A Laotian weekly, The Voice of the People, suggests a partition of Laos to solve present crisis. . . . One reason Congolese troops reluctant to engage other regular Congolese forces in battle, says Wall Street Journal, is that half of troops of all factions are members of a single tribe – the Balangas. . . . French paratroop Col. Trinquier has returned to Katanga from Paris, after being placed on retired list. Trinquier reportedly will head Katanga army. . . . Random House bringing out children's biography of Kwame Nkrumah. . . . Moscow's Friendship University — the training school for African and Asian students — has been renamed "Patrice Lumumba Friendship of the Peoples University."

Nation's first pay-TV to be tried in Hartford, Conn., in about six months time. FCC approved experiment last week. . . . NAACP reports its membership hit all-time high in December. It now totals 386,000. . . . White House gets into economy (who dat?) swing as President Kennedy orders that press releases hereafter be single-spaced to save paper. Expected to save 297 tons of wood pulp annually.

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National Trends

The South Sees Through New Glasses

JAMES JACKSON KILPATRICK

Richmond

A letter came across my desk this week from a Richmond woman who identified herself, at the outset, in the fashion of one presenting a membership card, as a supporter of Nixon in the last election. She was irritated at the arrest of several Negroes in Lynchburg as the outgrowth of a drug store "sit-in."

"In a state where freedom and individual liberty have always been taken so much for granted," she wrote, "this is a ridiculous situation. There is no room in the future for segregation as we have known it in the past. Progress will be made, and if conservatives can't adjust they will, in the long run, find they have much to lose in public support. My views are still those of a conservative, but my patience is sorely tried."

Under the Surface

Political weather observers, tracking the cold and warm fronts across a still turbulent South, ought to take such letters into account. They are straws in a shifting wind, and we are seeing more of them. The more things change, it is said, the more they stay the same; and in certain underlying ways this remains quite true of the South. Yet a feeling grows, and a decent respect for objectivity requires that a reporter state it, that things *are* changing in the South; they will not stay the same; they will not ever be the same again.

On the surface, true enough, it may appear that the old order prevails. In New Orleans, a white boycott continues of the technically "integrated" school. In Alabama, Governor Patterson is blustering away. In Mississippi, lines are as tight as ever. In Georgia, the violent reaction to the admission of two Negro students at Athens remains fresh in mind. And throughout the Old South and the Deep South, the degree of school integration ranges from nil to imperceptible.

The changes I write of are down under the surface. They are subjective, not easily measurable, and probably they cannot be understood by those who know nothing of the mind of the South, but I state the proposition for what it may be worth: For the first time in their lives, thousands of Southerners are beginning to see the Negro in a way they never saw him before. It is like getting new glasses; familiar forms that had been shapeless and blurred (though they were not thought to be shapeless and blurred) suddenly emerge sharp and clear. They had been there all the time, at once seen and unseen.

Now, this is an unsettling experience. "My views are still conservative," says a Mrs. Eubank, and in the same breath: "There is no room in the future for segregation as we have known it in the past." How have we known it in the past? I search for an adverb and offer "unthinkingly." The white child, growing up in the South, seldom thought consciously about "race relations." This was the way things *were*. Negroes were everywhere; they were part of the landscape, part of the household, part of the family; they worked for you, and you looked after them, but what Will Percy called the wall of glass was always there—a strange wall, now clear, now cloudy, now hard, now permeable. Love passed through the wall, *both ways* love passed through the wall, but somehow there was no real seeing through the wall. The parlor clock chimes the quarter hours. How often is it heard—really heard?

What I am groping to say is that many a Southerner is seeing now, and hearing now. Aspects of segregation that once were his non-concern now trouble his spirit uncomfortably: Sit-ins. Segregated libraries. Certain job discrimination. Genuinely unequal schools in some areas. The Negro as citizen, as a political being possessed of equal rights, never had existed in the white Southerner's past as he begins to exist now. The familiar black faces, seen through new glasses, are startlingly unfamiliar. A sense of the Negro point of view, totally unrecognized before, stirs uneasily in the conscious mind; and we resent the intruding sensation, and do not know exactly what to do about it.

The Changing Picture

For the new glasses do not disclose a picture that many of us like. The white South overwhelmingly views integration, and its long-range consequences, with great distaste and abhorrence. Ten years ago I would not have received the sort of letter I received from Mrs. Eubank; but my mail would not have bulged, either, with letters pointing bitterly to Negro crime, Negro illegitimacy, Negro arrogance.

A sharpened sense of the Negro's rights and grievances is accompanied by a doubly-sharpened sense of what are seen by white Southerners as their own rights and grievances. Thus there is simultaneously a surrendering, and a recapturing, a yielding and a regaining: The bus lines have abandoned Jim Crow, but fewer persons ride the buses. Lunch counters are integrated, but there are more private clubs. As Negro neighborhoods expand, whites move out. Token integration in public schools is accompanied by an unmistakable revival of private schools. Things do change; things genuinely are not the same, but I sometimes wonder if my children will not know in the South a society far more deeply separated than the society in which I was reared, in which the races are neither friends nor enemies, but only strangers.

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The Third World War

Strategy of Dissolution

JAMES BURNHAM

It is obvious that what used to be called "the restraints of civilization" have been loosening during the past couple of years. Actually, this is a speedup in a process that started around the turn of the century: but the speedup, too, is significant.

Burnham

Lewis Lapham and David Miller, in the *New York Herald Tribune*, wrote the least bowdlerized account that I have read of the February 15 UN riot. From their text: "Dragged from the chamber by UN guards, the Negroes . . . shouted hysterically . . . screamed epithets . . . with signs denouncing Belgians as 'pigs, cannibals and butchers.' . . . A woman beat a guard on the head with her shoe. . . . One of the most vicious women rioters in the UN corridor was pregnant. A witness said he saw her take off her glasses and grind them into a guard's face. . . . The man identified as 'King David' . . . wore a blue fez, carried a shepherd's crook, and, in the midst of the furor, with closed eyes babbled an unintelligible chant."

Civilized beings do not behave so, and there was nothing special about this display of savagery. Similar scenes were being enacted in most cities of the globe. Nor was there anything special about February 15, 1961. In 1960 the same sort of savagery was raging through the streets of Tokyo, Ankara and Seoul. In San Francisco it was savagery also, if a stage or two milder. In 1959, Latin Americans hurled rocks, spittle and obscenities at the visiting magistrate of a friendly sovereign. The events in the Congo are the target image.

Civilized men do not shout obscenities, spit on envoys, curse appointed leaders, destroy at random. Civilized men do not take off their shoes at a solemn conclave, to pound them on the desk top. Nor do civilized men dine with those who pound their shoes on desk tops.

How Thin the Veneer

Savagery is never very far below the human surface. Civilization is intricate, slowly built, always vulnerable. It is not something that can be picked up on a three-year scholarship at Oxford; not something, indeed, that an individual can acquire by his single effort. Civilization springs from a great vision of reality that is shared over the centuries by an entire community; and from an ordering, a discipline and structure embodied in tradition, decorum, and continuing institutions. An individual human being becomes civilized, ordinarily, by being born and nurtured *within* a civilization.

But a civilization cannot rely solely on spiritual osmosis to produce and maintain the indispensable discipline and structure. Therefore every civilization, if it is to survive, must be ready and willing to use force against those who, reverting to savagery, threaten to corrode it from within, just as it must be ready and willing to use force against those—either savage or ordered by a different civilization—who threaten to destroy it from without.

A symptom of the present dissolution that is still plainer than the occurrence of the savage indecencies is the fact that we condone them. Drugged by a suicidal ideology, we do not jail, punish or even arrest the UN savages. The judge, praised by pulpit and press, dismisses the charges against the young savages of San Francisco. Our leaders not merely treat with such savages as Lumumba and Khrushchev—that might be inevitable, if the savage has power enough—but shake hands, smile, drink mutual toasts, break bread. We visit no sanctions on those who revile the envoys and emblems of civilization. We dispense honors and money, not stern retribution, to the savages who rape civilized women and, with jungle horrors, kill civilized men.

It is incorrect to believe that Communism is the first and sufficient cause of this unwinding of civilization. In some considerable measure, it is the decay of civilization that has provided the rotted soil for Communism's growth. But, once the Communist enterprise begins, it exploits and amplifies civilization's weakening, aiming at total destruction.

What the Shoes Pound

This antinomy between Communism and what men have heretofore known as civilization is explicitly marked in Communist theory. "True history" begins, according to Communist dialectics, only with the final victory of Communism; all that has preceded is "pre-history." The opposition is not merely to Western civilization. Communism aims to destroy, *must* destroy, all other existing civilizations as well—Hindu, Buddhist, Islamic, Hebraic, Confucian, the Japanese amalgam (this being the full list).

Khrushchev pounds his shoe thus not from frenzied passion, but as part of a studied policy. No extravagance, no outrage is too extreme, from shoes to C-bombs. Whatever serves to dissolve civilization's restraints and to corrode its structure is right by the dialectic's norm.

So, in the camp of imperialism and war. In the camp of peace, of course —in, that is, the sector already conquered—pregnant women do not, unscathed, grind their glasses into a human face; students do not (except now and then on due command) riot in the streets, burn flags and loot buildings. The shattered structure of civilization is replaced by a new ordering that the new leaders are prepared to uphold and enforce. I do not believe that this new Communist ordering is or can become truly a civilization. It does not have a great spiritual vision, which seems to be an essential core of all civilizations. The Communist structure must probably be considered a mechanical substitute for true civilization. But men will have to make out with the substitute if they are no longer resolved to preserve the genuine article.

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The Connally Amendment

The annual drive to delete Senator Connally's six crucial words has started with a pamphlet by Justice Douglas. With all judicial calm, a careful analyst reviews the pros and cons.

VINCENT F. DeCAIN

The Connally Amendment, which will certainly come up for Senate action again this year, may well be the only bulwark between the integrity of the United States judicial system and the invasion of foreign power under the guise of the International Court. It is time to survey the Connally Amendment in all its aspects: Its legislative history, the judges and operation of the International Court, law to be applied by that court, reservations to jurisdiction, domestic jurisdiction, and enforcement.

When the United States became a party to the Charter of the United Nations on October 24, 1945, there was annexed to the Charter a document entitled the Statute of the International Court of Justice. This Statute created the International Court as presently constituted. Under Article 36, jurisdiction of the Court comprises "all cases which the parties *refer* to it," but nations may also accept *compulsory* jurisdiction concerning the interpretation of a Treaty, any question of international law, the existence of any fact, and the nature or extent of a reparation. A nation may accept compulsory jurisdiction by depositing a declaration of acceptance with the Secretary General of the United Nations. The United States did this on August 26, 1946, but its declaration provided, among other things, that the declaration would not apply to "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America *as determined by the United States.*"

The six words italicized constitute Senator Connally's amendment to the original declaration introduced by Senator Wayne Morse. It leaves solely to the United States the determination whether a matter before the Court is within the domestic jurisdiction of the United States. If the United States decides that it is, it can deny jurisdiction to the Court. The Senate adopted the amendment by a vote of 50 to 12.

Judges and Court Operation

Of the fifteen judges of the Court only nine are needed for a quorum. Thus, five judges (a majority of the nine) may render decisions binding upon all parties concerned. The present judges are from the Soviet Union, Poland, the United Arab Republic, Panama, Uruguay, Mexico, Pakistan, Argentina, Australia, Greece, Norway, France, China, United Kingdom and the United States. Although there are friends of the United States on the Court, it would be naive to assume that its decisions will always be fair and just—if only because, in conceivable instances, only three other votes would be needed to support a decision designed and voted for by Poland and the Soviet Union. What makes this situation even less desirable is the fact that, while the United States and thirty-eight other nations have subjected themselves to compulsory jurisdiction of the Court, thereby exposing their actions to the judgment and criticism of judges of the Soviet Union and Poland, neither the Soviet Union nor Poland has accepted compulsory jurisdiction of the Court. The Soviet Union, of course, may voluntarily submit a case to the Court; but this it has never done and probably will never do.

It has been suggested that the U.S. reservation is "un-American" in that it is "self-judging." While it is true that the reservation leaves to the United States the exclusive right to determine what is domestic, the characterization "un-American" is unfortunate because 1) fifty United States Senators voted for it, 2) it seems difficult to understand why the reservation should be considered "un-American" if it is used to prevent the Court from exercising jurisdiction over a domestic matter, and 3) if the characterization must be employed it would be better applied to other aspects of the Court. For example, the Court's opinions are final and unappealable and, therefore, unlike any other court in America except the Supreme Court. Also, the judge from a member nation that is a party to a suit before the Court need not disqualify himself. In addition, a member nation that has a suit before the Court but is not represented on the Court may choose a judge of its own liking to sit on the bench to "self-judge" its own case. The logical consequences of "self-judging" by permanent or ad hoc judges were summed up in a 1959 law review article by Wolfgang G. Friedman, Professor of Law, Columbia University:

> It is also a sad but uncontestable fact that generally the strength of national allegiance still far outweighs the supranational loyalties which the judges of the court, like any international servants, are supposed to put before any national feelings or duties. Cases in which judges have dissented from the point of view put forward by the government of their nationality are few and far between.

Professor Friedman also questioned the competency of many judges on the Court by saying:

> It must be added, however, that the recent deplorable practice of appointing to the court politicians with less than distinguished legal qualifications, as a reward for services or political compromise, had not added to the status of the court or to its role in the development of International Law.

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After reading such an appraisal, the efforts of Arthur Larsen, Director of The World Rule of Law Center of Duke University Law Center, become not only humorous but also misguided when he attempts to inform us that among the Court's judges are "some of the finest international lawyers in the world" and goes on to prove this by advising us that

> the judge from the Soviet Union, Kojevnikov, ranks high among legal scholars in his country. Indeed, he was formerly Dean of the University of Moscow Law School. This is evidence of a high order of sound judgment, not so much that he became a Dean as that he became a former Dean.

While Mr. Larsen's statement is logically so ludicrous that it needs no further comment, the suggestion implicit in his remark that a judge of the Soviet Union is competent to sit with judges of the non-Communist world and will be motivated solely by notions of justice and morality is, at best, hapless, when we remember the true nature of our Communist enemy. It is worth recalling what John Foster Dulles said just one year earlier:

> Furthermore, "law" to Communists means something very different than to us. To them, "laws" are essentially the means whereby those in power supress or destroy their enemies. . . . While we have, through collective security arrangements, largely deterred the Communist bloc from using force, we have found no effective means of persuading or inducing the countries of that bloc to accept the principles of justice and law and peaceful change.

Law to be Applied

In any judicial system there are obvious indispensable requisites. One is, of course, the existence of a court; and the other, not less obvious, is a body of law to be enforced by the court. It can be argued that a law without a court may or may not be a useless gesture depending upon the degree of voluntary recognition of and compliance with the law. Less convincingly, one may argue that a court without clearly defined law may be successful depending upon *voluntary* submission of disputes to it and willingness to accept judgments, however strange they may be. But here one must pause and reflect profoundly on the wisdom of a situation where submission of disputes to a court without law is *involuntary* or "compulsory *ipso facto*." Article 38 of the Statute of the International Court states that the Court, in reaching its opinion, shall apply, "A.) International Conventions, B.) International custom, as evidence of a general practice accepted as law, C.) The general principles of law recognized by civilized nations, and D.) Subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law."

There will be no quarrel at this time with the Court's application of international conventions to which the United States has expressly become a party. In applying the convention the Court will look to the instrument itself to determine what the parties have agreed upon, and apply it to the particular case. This is the occasion, however, to ask what "international custom," what "general principles of law recognized by civilized nations," and what "judicial decisions" and "teachings" are being applied by the International Court in the adjudication of cases before it.

Do advocates of repeal consider the Soviet Constitution a guide to the "law recognized by civilized nations"? If so, should the judges on the Court be influenced by provisions for "abolition of private ownership of instruments and means of production," declarations that "land is a state property," "work is a duty," and "it is the duty of every citizen to respect the rules of Socialist intercourse"? If advocates of repeal do not consider such as a guide, then the constitution, laws, "decisions," and "teachings" of *which* country or group of countries express the "general principles of law"? What law *are* we applying? The only way to answer this question is to examine well-known efforts to codify the laws of the world.

Probably the most important attempt at codification of world law took place at the Hague Conference of 1930. Of eleven subjects selected by a committee of experts seven were considered "ripe for codification." Three of the seven "ripe" subjects were nationality, territorial waters, and responsibility of states for damage done in their territory to the person or property of foreigners. Despite painstaking preparation, it was generally agreed that the conference was attended with little success. Although a draft of ten articles was drawn up, it failed to get adequate support for adoption.

In 1947 the United Nations created the International Law Commission. In a review of its own work, the Commission revealed in 1959 that "during its last five sessions, however, *i.e.*, since and including 1954, the Commission had *finally* completed nine pieces of codification on progressive development. . . ." Although we might expect drafts for "Elimination of Future Statelessness," "Arbitral procedure," "Conservation of the living resources of the high seas," and "Fisheries" to be now "ripe" for codification, not one of the mentioned drafts nor any other has been adopted by the United Nations.

In April of 1960, after six weeks of intensive negotiations at Geneva, an 88-nation conference on the law of the sea collapsed and failed to resolve differences over the "territorial sea" and "fishing rights." Since both subjects had apparently appeared to have become "ripe" for codification among nations desirous of extending the rule of law, hope had been high that a *compromise* formula providing for a six-mile territorial sea and a six-mile fishing zone might be adopted by the conference. While the United States, Canada, and other major Western maritime powers were willing to accept the compromise, the Soviet Union and the Latin American, African and Asian nations that had stood fast on their demand for a twelve-mile limit considered failure of the convention as a *victory* for their view. The result is hardly a commendable attitude for nations expressing a passionate zeal for world rule of law; and if this attitude continues to prevail when nations congregate to seek solutions to problems more important than six- or twelve-mile fishing limits, the prospects for codification are dim indeed.

That lingering question remains to haunt us: What law is the International Court applying? It is well known that in the world today there are ten great legal systems, *i.e.*, Chinese, Hindu, Hebrew, Greek, Roman, Germanic, Japanese, Islamic, Slavic,

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and Civil and Common Law. We have heard it said that the judges forge or fashion law for decisions of the Court by extracting a central theme or common thread from all the known legal systems. The writer believes this opinion to be overly naive, if not delusive, and he believes the reader will agree when he examines the following analysis by Rudolf B. Schlesinger, Professor of International and Comparative Law, Cornell Law School:

> In countless cases, international courts have referred to this source of international law, and have invoked the general principles as a basis for their decisions. But if we read the opinions, we look in vain for an answer to the question: How did the court know that the particular rule of principle it relied on was in fact a general principle of law recognized by civilized nations? In case after case, the judge writing the opinion simply expressed a hunch, a hunch probably based upon the legal system or systems with which he happened to be familiar.

In other words, it is quite clear that the judges may roam the earth to discover a basis for a decision. And that decision, however strange, will be imposed upon anyone who has accepted compulsory jurisdiction.

Reservations to Jurisdiction

While critics of the Connally Amendment would have you believe it is the sole obstacle to the success of the Court, it is never mentioned that fewer than half the members of the UN have even accepted compulsory jurisdiction. The critics then assert that by repealing the Connally Amendment we would no longer be acting in "bad faith" and we would be furthering the "self-interest" of the United States. While it may seem strange to find advocates of repeal advancing such "selfish" and "nationalistic" goals, the argument is cleverly designed to appeal to the economic instincts of industrialists or financiers. In any event, it goes something like this: Any other nation may invoke the Connally Amendment to deny jurisdiction to the Court because the reservation is reciprocal. As a matter of fact, in the recent case of Norwegian Loans, France, with a reservation similar to that of the U.S., sued Norway on bonds issued by the Norwegian Government. Norway invoked France's reservation and France, left without a remedy, realized the impracticality of such a situation and repealed its reservation. All to the greater glory of France. This conclusion, of course, leaves unmentioned two interesting considerations. Norway's invocation of France's reservation was the "bad faith" of whom? If friendly or neutral governments resort to this subterfuge to avoid the Court's jurisdiction, then of what worth is their righteous profession of belief in justice and rule of law?

Furthermore, France's new declaration is hardly one of which the advocates of repeal may be proud. The new declaration deposited on July 10, 1959 continues to exclude from the Court's jurisdiction questions which are "exclusively within the domestic jurisdiction" of France and, in addition, excludes matters "arising out of any war or international hostilities and disputes arising out of a crisis affecting the national security or out of any measure or action relating thereto." This latter provision is obviously so broad that France can deny jurisdiction over its domestic affairs to the Court by citing its "national security." Also, previously unexcluded "*international* hostilities and disputes" have now been withdrawn from the Court's jurisdiction.

On April 30, 1960, the *New York Times* reported that Indian Ambassador Mahomedali Currim Chagla stated in a recent address to the American Society of International Law that the United States restriction on jurisdiction "reduces the court to a mockery." Ambassador Chagla neglected to mention that India has also been reducing the Court to a "mockery." Until September 14, 1959, when a new declaration was filed, India's declaration for three years previous had been identical to that of the United States, insofar as the Connally reservation is concerned. It is doubtful that India's new declaration will serve as a model for international emulation as long as the Court is expressly excluded from "disputes with the Government of any state with which, on the date of an application to bring a dispute before the Court, the Government of India has no diplomatic relations." If an application to the Court is threatened, India can, obviously, break off diplomatic relations immediately to avoid the Court's jurisdiction. The United States' reservation, not containing such a restriction, deals solely with domestic matters and no one has ever charged that it has been misused. It is India that is making a "mockery" of the Court by putting the world on notice that in *both* domestic and international matters it reserves the right to strip the Court of jurisdiction prior to the actual submission of a dispute to the Court.

Domestic Jurisdiction

The Connally Amendment is designed primarily to prevent the International Court from asserting its jurisdiction over domestic matters of the United States. What then is a domestic matter? A report of a special committee of the House Judiciary Committee on the International Court of Justice indicated that insofar as the committee could determine there are no clear-cut rules recognized in international law as to what are and what are not domestic issues. Does the United States by repealing the Connally Amendment thereby lose its sole jurisdiction over matters such as immigration, value of its currency, full employment and tariffs, all of which have international consequences? What about the worldwide relief program that the United States is and has been engaged in? Should the Court and not the United States decide whether the Cuban sugar subsidy may be discontinued? Shall the future of Guantanamo Naval Base and the Panama Canal remain a domestic question or should we expose our safety, security, and economic prosperity to possible interference by a hostile Court? Because the Court itself has never defined what it believes to be a domestic matter we must search for other international signposts showing the direction in which international law is evolving or is likely to evolve.

In the Security Council in April 1946, the Polish delegate to the United Nations, Mr. Lange, brought numerous and varied charges against the Spanish Government. Article 2-7 of the United Nations Charter states that "nothing in the Charter shall authorize the United Nations to intervene in matters which are *essentially within the domestic jurisdiction of*

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any state. . . ." Speaking with reference to the charges made by the Polish delegate, the Netherlands delegate, Mr. Van Kleffens, said:

> If we are to interfere in Spanish affairs on the basis of such evidence as has been placed before us, I think we would establish a most regrettable and harmful precedent for all sorts of ill-founded intervention . . . so long as Franco does not really threaten international peace and security, whether Spain wants to keep *that regime* or not is a matter for Spain and for Spain alone. It is, in my opinion, in the language of the Charter a matter which is essentially within Spain's domestic jurisdiction.

The findings of a committee created to investigate conditions in Spain were embodied in a resolution adopted by the General Assembly on December 12, 1946, wherein it was stated, in effect, that 1) the Franco regime was a Fascist regime, 2) Spain gave aid to the Axis powers, and 3) Franco was a guilty party in the conspiracy to wage war. On the basis of these findings alone the General Assembly went on to recommend that if a "*satisfactory government*" were not established within a reasonable time the Security Council would consider measures to remedy the situation, and that members of the UN should immediately recall their ambassadors and ministers from Spain. History has, of course, obscured the stupidity of the resolution but it has not obliterated the precedent created by the Communist delegate who induced the United Nations to declare a particular *government* unsatisfactory. This was accomplished even though the UN Charter expressly precluded the UN from intervening in any matter which is within the "domestic jurisdiction" of a state.

Another case involving the domestic jurisdiction clause of the UN Charter is worth discussing. In 1946, India vigorously proclaimed to the UN that a situation existing in the Union of South Africa was likely to impair friendly relations between India and South Africa. The situation involved about one-quarter million Indians, mostly descendants of laborers who migrated to South Africa between 1860 and 1911. These people were victims of political exclusion, including lack of parliamentary and municipal franchise, and various restrictions in employment, travel, education, and the right to own property. Since India did not maintain that the Indians involved were Indian nationals, it is difficult to understand how India could claim "impairment of friendly relations" when South Africa was mistreating *its own* citizens and not those of India. The UN Charter (obviously?) does not

permit a state to charge impaired relations with another because it disapproves of the manner in which domestic affairs of any other state are conducted. Or, at least, we thought it didn't. India also maintained, without much vigor, that the rights of the Indians involved were protected and governed by the Capetown Agreement of 1921 and a joint statement of both countries in 1931. As a result of these charges, the General Assembly in December 1946 passed a resolution declaring that friendly relations had been impaired and that the treatment of Indians in South Africa should be in conformity with the charter and the "agreements" concluded. If noth ing more followed it might have been said, tongue-in-cheek, that the UN based its interference in the domestic affairs of South Africa upon the existence of *international agreements* entered into by both governments with each other. What followed, however, proved that such an assumption could be made only by those blessed with visions of sugar-plum fairies.

Two years later, in 1948, the Universal Declaration of Human Rights was approved by the UN and, in 1950, the General Assembly voted that ra cial segregation was necessarily based on doctrines of racial discrimination. Since the Universal Declaration, when approved, was believed to be only a "declaration" of the aspirations of World Government, its usage as an instrument to enter the domestic affairs of sovereign states was, perhaps, unpredictable. Therefore, when on the basis of the Declaration alone, the treatment of Indians in South Africa was again included in the 1952 agenda of the General Assembly to consider "the question of race conflict" in South Africa, many people grew alarmed as they witnessed the beginning of an oratorical transmutation of "standards" the world was to "strive" for into international *obligations* the world *must* maintain, irrespective of whether the matter is purely domestic or not. As a matter of fact, the transmutation may be complete because Hersch Lauterpacht, an influential justice of the International Court, believes, along with others, that "human rights" are no longer a question reserved to individual nations.

More interesting, perhaps, is the fact that in the course of the 1952 discussion concerning the invocation of the Universal Declaration (no "agreements" were cited this time), Mrs. Pandit of India compared the basis of intervention in 1946 with that of 1952 and stated: "The present issue falls into the same category and calls for no new decision on principle or effect of domestic jurisdiction." Thus, the "agreements" alleged by India in 1946 were only window dressing to escape the restrictions of the domestic jurisdiction clause. Moreover, since in 1946 the Universal Declaration had not yet even been approved by the UN, one wonders what, in the absence of the Declaration and legitimate "agreements," enabled the UN in 1946 to overcome the proscription against domestic intervention?

But most important is the fact that the Universal Declaration is now recognized by the UN and Justice Lauterpacht as not being limited by the domestic jurisdiction clause. The Declaration expressly includes such matters as everyone's "right to leave any country, including his own," *ex post facto* laws, "arbitrary arrest," everyone's right to "freedom of movement," everyone's right to "social security" and the "realization . . . of the economic, social and cultural rights indispensable for his dignity and the free movement of his personality," everyone's "right to work" and his "protection against unem-

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ployment," everyone's "right to a standard of living . . . including food, housing and medical care and necessary social services" and "the right to security in the event of unemployment, sickness, disability, widowhood, old age." It stated that everyone's education "shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace." This enumeration is quite incomplete and the author recommends that the reader examine the Universal Declaration to determine for himself whether anything at all is left to the domestic jurisdiction of the United States. In addition to the opinion of Justice Lauterpacht, the reader's attention is invited to a 1959 article appearing in the *American Journal of International Law,* written by Herbert W. Briggs, Editor-in-Chief of the *Journal,* and a recognized authority in International Law, who after mentioning that treaties had been entered into on some domestic matters, concluded:

> Nor would the rule of law be served by excluding from our acceptance of compulsory jurisdiction a list of matters, such as immigration or tariffs, *whether or not* treaties had been concluded on the subject.

Enforcement

In the unlikely event that the Court should ever acquire jurisdiction over the Soviet Union and render a decision against it, what hope is there that the judgment will be enforced? The Court has no way of enforcing its decisions other than through the exercise of Article 94 of the Charter, which permits a victorious party "to have recourse to the Security Council, which *may,* if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment." Unfortunately, all hope of enforcement is sheer delusion because the Soviet Union may exercise its veto power to prevent the Security Council from giving "effect to the judgment" of the Court. In the only instance where a Communist state was caught in the jurisdiction of the Court, the futile gesture of bringing the Court's judgment to the Security Council to ask for enforcement was not indulged in. Thus, in the Corfu Channel case, a judgment in the amount of approximately two million dollars was rendered against Albania in April 1949 for damages inflicted upon English ships in 1946. To date, however, not one cent of the judgment has been paid and no one has asked the Security Council to enforce the judgment for obvious reasons.

On March 29, 1960, the *Wall Street Journal* printed a letter from Senator Hubert H. Humphrey in which he stated:

> It should also be noted that if the Court were to render a decision against the U.S. which was unacceptable to us, its enforcement would be up to the Security Council of the United Nations of which we are a permanent member capable of exercising veto power.

Since Senator Humphrey sponsored the resolution now before the Senate to repeal the Connally Amendment, one would think he could conjure up better arguments than those which suggest that the United States should emulate the Soviet Union in its exercise of the veto power. Undoubtedly, Senator Humphrey believes that we should take our ball and bat home every time we are outscored. In all seriousness, does the Senator actually want us to wave our dirty linen in the air and then tell the world to forget that it has seen us? Does he really expect us to submit domestic matters to the Court and then, when the matter has been fully adjudicated before the eyes of the world and a decision has been rendered against us, to withdraw from the Court or to veto enforcement attempts? It is submitted that the United States will elicit more respect for itself if it permits only those matters to go before the Court on which it is ready to accept a decision, however unfavorable. No one has accused the U.S. of asserting its domestic reservation in bad faith. If it should ever be invoked in bad faith there is little doubt that the matter for which it was invoked would be of such great consequence that if the Connally reservation did not exist to exclude it from the Court's jurisdiction, the "unacceptable" judgment would cause the U.S. to "veto" enforcement or withdraw from the UN, anyway. The reaction of the world, in such an event, need not be described here. It is far better for a nation taking a journey into the uncharted sea of world law to decide beforehand what disputes the Court shall have jurisdiction to decide.

Conclusion

We have seen that transitory, uncertain majorities in the Court can easily subject the U.S. to unfair and unreasoned judgments. These judgments can be influenced by Communist judges representing nations whose actions cannot be reviewed. Other judges consistently support their governments' point of view and have been selected not because of judicial competence but in payment of political obligations. There is no codified body of law to be enforced and those which have been applied have been those selected by a judge's hunch. There is every reason to believe that reservations of domestic jurisdiction will be consistently and effectively whittled away. There is no way of enforcing judgments against Communist nations and their sympathizers. To repeal the Connally Amendment in the face of these facts is to invite disaster.

If we must continue to participate in the International Court as presently constituted, it would be well to analyze the wisdom of a suggestion made by John Foster Dulles in 1946 when the original resolution was being debated in Congress. Mr. Dulles recommended a stipulation to the effect that the court could not decide a case to which the U.S. was a party unless the law to be applied was based on a treaty to which the U.S. was a party, or unless the parties agreed in advance what principles of international law should be applied by the court. Mr. Dulles' proposal may not immediately solve all our problems of international law. It is a patient, cautious approach; perhaps too patient and too cautious for the fire-eating advocates of repeal.

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Principles and Heresies

FRANK S. MEYER

Heads We Lose, Tails They Win

ONCE a myth about Communism is developed, every eventuality, however far-fetched, becomes a further confirmation of it in the eyes of the journalists, the "experts," the bureaucrats, who shape American foreign policy. So it was with the myth of Khrushchev the peace-lover, until it blew up in Eisenhower's face like a loaded cigar at the Paris Summit Conference. So it is now with the subtler and more dangerous myth of intensive Sino-Soviet conflict.

Meyer

When the fragmentary reports of Khrushchev's speech of January 6 on the November meeting of the 81 Communist parties in Moscow first appeared in the American press, Harrison Salisbury rushed to inform the readers of the *New York Times* that it clearly demonstrated a sharpening of the split and a defeat for Khrushchev. Isaac Deutscher in the *Reporter*, Boris Nicolaevsky in the *New Leader*, sundry writers in the *New Republic*, and a host of others, drawing upon reports of the speech or upon the Manifesto of the 81 parties, each with his own variation has filled the journals in the past few weeks with learned disquisitions on the "new evidence" of bitter conflict barely muted in compromise.

Now the full text of Khrushchev's speech is available. Analysis of it demonstrates what was already apparent from the previously released text of the Manifesto of the parties. Such analysis, it is true, requires acquaintance with and understanding of the exact way in which language is used in Communist documents decisive to the guidance of the Communist movement (as distinguished from Communist propaganda statements); a knowledge of the history of the Communist movement and the form in which controversies within it are resolved; and an intellectual integrity and moral commitment to the defeat of Communism that makes it possible to assess the enemy with eyes free of the scales of wishful thinking.

SUCH analysis reveals the true lines of Communist thought and policy today, as it always has. All the scuttlebutt fished from the *couloirs* of the UN or from the embassies and night clubs of Europe and Asia has no more value today than it has had over the years—and over the years it has always been wrong. But the basic documents of Communist congresses have always had a true story to tell, just as now Khrushchev's speech and the Manifesto make clear the outlines of the present Communist position:

1) This was not an emergency meeting called because of a struggle between the Russians and the Chinese; it was simply the second full Congress of the new Communist International (the first meeting occurred in 1957).

The "vanguard" role of the CPSU among the Communist parties of the world is specifically recognized. And on such vital questions, from the Communist point of view, as the methods of development of socialism among the peasantry, unequivocal support of the Russian line of collectives was unanimously adopted, with implicit condemnation, if not of the practice of the Chinese communes, at least of the extreme theoretical justifications of them which have appeared in Peiping.

2) The general line of the period since World War II was emphatically re-endorsed. That line was foreshadowed in Stalin's *Economic Problems of Socialism in the USSR;* it was first formally promulgated at the 20th Congress of the CPSU; and it was confirmed both at the 21st Congress of the CPSU and the 1957 meeting of the world parties. It asserts the ascendancy of the Communist powers, as distinguished from the prewar line of "capitalist encirclement." On that foundation it calls for a strategic offensive against the West and particularly against the United States (which is singled out as "the main enemy"), to be carried out by all means direct and indirect. Particularly in the present period, the main weapons of attack against the West are to be national revolutionary movements in Asia, Africa and Latin America—that is, a continuation and extension of the Leninist tactic of indirect attack through the "colonial countries" developed in the mid-twenties.

3) The needs of this strategy demand a tactical approach which will keep the West from awaking to full-scale resistance (and counter-action), while at the same time carrying forward the offensive against the West with the greatest possible speed. On this question, differences of emphasis between the Russian and Chinese parties were resolved (*resolved* on the basis of Marxist dialectics, not "compromised") by a three-point program: a) to further the widest possible movement throughout the world for Western disarmament; b) to threaten to transform any local war carried out by the West in its own defense into a general war (a new tactic—Communist "deterrence"); c) to proclaim its all-out support for all "wars of national liberation," that is, for *aggressive local wars against the West.* Heads we lose, tails they win.

REGARDED from the internal point of view of the Communist world movement, this program resolves the contradictions between peace-mongering and summitry, on the one hand, and offensive local action combined with rocket-rattling, on the other. Regarded from an external point of view, from the point of view of the West, it can be best understood as a Communist version of deterrence linked with brinkmanship. The difficulty for us is that *their* deterrence linked with brinkmanship has been always strategically *offensive*, and *ours* has been always strategically *defensive*. When will we learn that while the defensive has its honorable place in war, in the end only an offensive spirit, only a policy based upon the will to win, can bring victory?

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Formosa and the Defense of Free Asia

Formosa, a millstone? Not when it has the fastest growing economy, best land laws of any nation in the Far East.

JEAN BAYLOT

Formosa (more exactly, Taiwan), with its fast growing population that now exceeds eleven million, is a country whose importance is heightened by the strategic value of its situation. Those who would demolish the defensive system of the free world buttress their argument against continued support of Formosa by contrasting it summarily with Communist China. They make statistical comparisons of area, resources and population. To strengthen their argument, they attribute to Generalissimo Chiang Kai-shek the simplistic intention of debarking on mainland China, without prior consultation with the other free nations, and proceeding with the reconquest of the country foot by foot. They seek thus to intimidate those among the free nations of the world who go in fear that they will be presented with a *fait accompli*. Is it really necessary to explain that the statesman who is the President of the Republic of China has more realistic plans than these?

The value of Formosa cannot be measured by such elementary additions or subtractions. Were she only a flag, a symbol, she would attest to the heavy yoke under which the mainland Chinese labor, since they arrive in Formosa by the hundreds every day and live there freely, while Mao has ordered everyone to be shot who tries to escape across the frontiers of his vast territory.

But Formosa is more than a symbol. It is an irreplaceable link in the defense chain of SEATO. Formosa is a partner that counts. Her power rests not only on her military potential but also on the quality of her economic and social development.

If we consider the free nations of the Far East and above all those that are reconciled to the fact that sacrifice may be necessary for survival and who demonstrate their resolution by adhering to SEATO, we find that their economic expansion is proceeding at one of the fastest rates in the world.

We are constantly being told of the alleged prodigious growth of Communist China: it is presented to us as a land of miracles. The term "human investment" is used to justify the return to serfdom and slavery. We are led to believe that the individual Chinese accepts forced labor in a spirit of patriotism.

We are further told that these Chinese, 600 million strong today, will number 700 million tomorrow, a billion before the turn of the century and that Red China will then be strong beyond measure. Prudence thus demands that we treat with them.

These explanations mold opinion. When pitted against this giant, what weight will tiny Formosa be able to bring to bear, what will even all the peoples of free Asia be able to do? What does abstract justice count against numbers in the world we live in? So argue the so-called idealists.

The truth is that Communist China, despite her backyard steel furnaces, with her floundering agriculture, with a population secretly in revolt, is undergoing a drastic famine as all the refugees—and they are many—reported last year, and the regime now admits. Despite certain spectacular—if localized—accomplishments, the total results of which cannot satisfy the needs of the economy, the standard of living of the masses remains stagnant, and even retrogresses.

Chiang Kai-shek

In contrast, the economy of the free peoples of Asia is growing prodigiously, and that is a first victory. And from all evidence, Taiwan is making the most remarkable progress of all the nations of free Asia. In the Far East, to be sure, Japan is unquestionably the leader. It is Japan, not China, which will become the pilot nation of Asia and which has, already, almost reached that post. It is therefore not on the collectivist structures of Stalin or of Mao, but on the liberal formulas of Japan, that the Asian economy of tomorrow will be modeled.

Success under Freedom

In the competition now going on, the victory already belongs to the free nations. Japan's industrial progress and the rise in her domestic standard of living (taking into account the traditional frugality of the Japanese), are such that Communist China has already been outdistanced. This is very comforting evidence for the free world: it is extraordinary that so little is said about it.

Formosa has also known success. It is, to start with, an achievement to feed and to provide work for 11 million persons. American aid is, certainly, considerable. But it is to a large extent counterbalanced by the heavy cost of maintaining an army of 600,000 men (that is to say, about one-and-a-half-times as large as the French army). This army is kept on a war footing, provided with modern arms, trained and equipped in the most up-to-date fashion. The ability

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of the architects of the Formosan economy must be of a high order, since they have been able to achieve coexistence between peaceful prosperity and a war economy.

Let us first look at the agricultural achievements. A flight over the fertile west of Formosa at low altitude gives one an astonishing impression of richness and beauty, of work and order. There is a rational utilization of the whole region, with very little untilled land. This agricultural economy, with the farmers organized in strong, independent associations, provides for the needs of the growing population. Eighty-five per cent of them own their own land.

Agricultural Reform

The redistribution of land and its results are the fruit of an agricultural reform program which could serve as a model for new countries where such problems are so vital. It was accomplished in liberty, without violence or illegal seizures. One of the original features of this reform was that those giving up land which they were not themselves working, were compensated with stock in new or existing industries.

Taiwan exports a good grade of rice whose seed is constantly being improved. Sugar cane is the largest export crop in value. Another interesting export is the Formosan tea, which is justly acclaimed. The development of a tropical fruit industry completes the prosperous agricultural picture. Agriculture will be further strengthened in the next years by irrigation networks based on large dams now under construction, from which both farming and industry will benefit.

Industry is growing rapidly. The 30 kilometers of road between Taipei, the capital, and Keelung, the principal port, are nothing but a vast strip zone bordered with new industries, large factories, new plants under construction, evidence of great industrial growth. Coal mines feed this industry and some coal is exported. Formosa has the largest aluminum factory in Asia. Compared with 1945, her industrial capacity had increased 946 per cent by 1959; her electrical capacity is eight times as great. One of the dams referred to above will permit the establishment of a cement plant that will have the greatest productive capacity of the entire Asian continent.

The results in agriculture equal, in some cases surpass, those in industry. In 1959 rice production reached nearly two million tons, twice that of 1946, and this figure was undoubtedly surpassed in 1960. Sugar production was one million tons. Increases of fish, forest products, and dairy products range up to four times the 1945 figures. The over-all growth rate is one of the highest in the world.

Admirers of Communist China might reflect on the following statistics. On Taiwan per capita income nearly tripled between 1952 and 1959. Government employees and more than three-fourths of the workers in business and industry are covered by sickness, accident, maternity, old age and life insurance. The insurance system is flexible and efficiently administered. There are on the island 22 universities, 344 high schools, 1,712 elementary schools, and 1,050 medical centers (400 of them in isolated country districts). Plague, cholera, malaria and smallpox have been completely eliminated.

Forced labor, men riding on other men's backs, and that sort of thing have disappeared, liquidated rather by economic progress than by law. The entire island, and especially the capital city, is a thriving industrial area where enterprises contributing to human well-being are rising alongside heavy industry—quite contrary to Europe's industrialization, which in the nineteenth century justified the socialist criticism.

"Little giant" was the phrase used of Formosa by a recent visitor, to whom the island, in spite of its modest population and extent, appeared as the second country in Asia in terms of economic development, and perhaps the first in standard of living, rate of progress toward still further betterment, and cultural development.

Such results as these, achieved by a country that is free even though on a war footing, ought to be put alongside the servitude and misery in Communist China.

Taiwan's importance, thus, does not derive solely from its geographical value, which is great, or its military potential, which is invaluable, but also from its economic success and the moral prestige which this wins for the free world.

Taiwan is crucial for the free world, and Quemoy and Matsu also, just as Berlin is. There should be no uncertainty on that point. To abandon the two small islands would be not merely to offer as holocaust a people that wants to stay free, and to betray a solemn pledge of solidarity, but, besides, to make a useless gift to Communism. It would give Communism a victory that it cannot win by its own resources, as the 1958 attempt proved. It would wreck all faith in the free world's pledges. It would be a moral disaster added to a strategic catastrophe.

Essential to Defense

Located in an ideal geographical relation to the Okinawa base, along the stagings from the Alaska bases, Formosa is an essential position in the Pacific defense line. It offers asylum to the exiles who seek freedom. (There are many of them: several thousand a month. They are resolute, knowing before they start that four out of five will die in the attempt.) It protects Korea, whose safety can scarcely rest on the mere promise—everywhere broken—of the Bolsheviks. Hong Kong and Macao, Saigon and Malaya would fall with Formosa. The loss of Formosa would destroy SEATO by withdrawing the keystone of its strategic structure.

The island supports, in addition, substantial means of defense. First of all, there is the sound economy; and that counts for a good deal in a contest in which, by the opponent's choice, prestige is a derivative of results. Next, there is a sizable army: a *young* army, moreover, well equipped and trained, led by young officers — a lieutenant-colonel is usually about forty—and commanded by a firm chief and excellent generals. To appreciate these qualities, one need only talk a while with the vigorous soldier who commands on

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Quemoy. There is, further, a very well trained air force and an experienced navy. Along with Thailand and Pakistan and perhaps equally with those two nations, at least qualitatively, Taiwan is a solid partner of the Asian alliance. And let us not underestimate the moral factor in a conflict where the psychological confrontation is decisive. The economic and human successes of Free China are high trumps.

We have all seen on television those pitiable lines of workers, bent under the cudgels of the foremen, being drained dry to prepare the promised Chinese land dreamed of by the barbarous dictators. I have myself seen the young Chinese girls on the farms of the Formosan south, reclaimed for a free civilization, leave for the fields to transplant rice or cut sugar cane, with their faces carefully protected by kerchiefs from the piercing rays of the sun. And I have seen them in the evening, relaxed, elegantly clothed (with the distinction that Chinese girls instinctively possess), strolling back to their homes in the urban suburbs, or their increasingly comfortable rural dwellings. I have seen the happy, clean crowds of students leaving the city schools, neatly dressed and glowing with physical and moral health. From many direct contacts I am certain that this entire people is attracted more every day to the civilization that is born in liberty—which they understand, and which they want to keep and defend.

To abandon this people to Communism would be a crime that history would not forgive. But who would dare—for the sake of a false and cowardly security—turn these men, women and children of Taiwan, Quemoy, Matsu and the Pescadores over to such slave drivers as humanity has never before known?

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Murrowatha

To the great Potomac city
Came the signal maker, Murrow.
Came the crafty Edward Murrow
From the shores of Manahatta;
Vowed to serve the youthful Chieftain,
Serve the mighty Nixon slayer,
With the smoke of propaganda.
When he quit the Hudson wigwam
(And a healthy heap of wampum)
All the braves around the Big Chief
Gave a hoot of recognition:
In the Councils of the Nations
Shrieked the ancient loser, Adlai;
Stamped and chortled Soapy Williams;
Howled the magic-maker, Galbraith,
While the Schlesinger resorted
To a wild, left-footed war dance
In the yards of hoary Harvard.
Now the crafty signal maker
When the wind is blowing eastward
(And the signs are leftward-leaning)
Squats before a White House fire
With a U.S. Army blanket
Making smoky propaganda
While the Lawfords *cum* Sinatra,
Jackie, Teddy, Dad and Bobby,
Mother Rose and Sammy Davis
Throw a log upon the fire.

W. H. VON DREELE

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From the Academy

RUSSELL KIRK

Queens College Reverberations

On this page, some issues ago, I commented upon the saddening discrimination against Catholic professors by many members of the faculty at Queens and other New York City colleges. One letter I received in consequence is worth printing; and I append my reply to that letter. No comment, I think, is needed.

"Dear Mr. Kirk:

"I read your article 'Fair Employment Practices in City Colleges' in the December 3 issue of NATIONAL REVIEW. May I offer you some comment relative to one of your statements?

"You said, 'and Dr. Dale Fallon, another teacher of history, who had the misfortune to be both a Catholic and a conservative, lost his post three years ago. . . .'

"Mr. Kirk: suppose a Catholic, not necessarily Dr. Fallon, were to have read tens of thousands of pages of history relative to, say, the period 1188-1810, roughly the period of the Catholic Inquisition. He would have read intimate details of burnings at the stake and elaborate details of tortures in the torture chambers.

"Could this typical Catholic possibly get up in a modern day college and tell the students of these vile horrors? To say that he would be embarrassed would be putting it mildly. To teach such horrors would require a tantalizingly pungent attitude and approach that *no* Catholic could possibly ever have.

"Therein lies the paradox. A Catholic graduates from college and passes his history exams. He is therefore officially qualified to teach history. But in actuality, it is an absurdity to think that a Catholic can teach history. . . . If a CATHOLIC REALLY KNEW HISTORY HE COULD NOT POSSIBLY BE A CATHOLIC.

"He would hang his head in SHAME!

"Sincerely
M—— B——
The Bronx."

Here is my reply.

Dear Mr. B——:

I thank you for your recent letter, pertaining to fair employment practices in city colleges. Your candor on the subject does you credit. Of the numerous members of the faculty of Queens and other colleges who in fact discriminate against Catholic scholars, almost none will own the fact of their discrimination, or give reasons for it.

It seems to me that you are entertaining a particular prejudice which, if followed logically, would make it impossible for anyone to teach history, or anything else, in college. You assume that if a man holds a particular religious faith, he must be blind to any iniquities committed by anyone who professes to be a co-religionist: and therefore he is a bigot, unfit to teach.

Let us look at the matter with a different example. I do not happen to be a Roman Catholic: I am an American of Puritan ancestry and rather Calvinistic education.

Now because I am an American, is it impossible for me to comment impartially, as an historian or teacher of history, upon the destruction of Hiroshima and Nagasaki by American atomic bombs? In those cities, we destroyed in a moment more human beings than the Inquisition put to death in its several centuries. I believe that bombing was wrong, and I say so in my books and in my classes. Because I am an American, I do not condone or deny every evil act committed by other Americans. Why do you suppose that every Catholic condones or denies the policies of Torquemada?

Or put it another way. My ancestors were Puritans. Does this mean I am unfit to teach history because Cromwell's troops massacred the Irish at Drogheda? I do not condone that massacre, or deny it took place. Why do you suppose that Catholic scholars are less concerned with the truth of history than you and I are?

Far from distorting history to apologize for his Church, the able Catholic scholar often leans over backward to point out the failings and even crimes of papacy and hierarchy. Lord Acton was far harder on medieval and renaissance popes than was the Anglican scholar Creighton, in his history of the papacy. And in his researches into the Massacre of St. Bartholomew's Eve, Acton labored hard to convict the Catholic party in France of planned atrocities. As an historian who happens to be a Methodist, Sir Herbert Butterfield, demonstrated recently, Lord Acton was wrong in this, and his sources of information were unsatisfactory. But Acton did not distort history to serve the Catholic Church: on the contrary, if he distorted, it was to denounce abuses and excesses in the Church.

If your chain of reasoning is followed, no Jew could teach history, because he would be intent upon concealing or denying the slaughter of the Amalekites; and no Protestant could teach history, because he would be compelled to deny that there were rough customers in the train of Luther or Knox; and no Moslem could teach history, because he would be condemned to falsehood in trying to apologize for the destruction of the Alexandrian Library. For that matter, no native of any particular country could teach history, because the English would have to deal with the Opium War, and the French with the devastation of the Palatinate, and the Germans with the partition of Poland —and so, *ad infinitum*.

Don't you think it possible that the sincere Catholic, or Protestant, or Jew, or Moslem, who happens to be a real scholar and an able teacher, is unafraid of the truth? In a university, we ought to think in terms of honest men and sound scholars, not in fanatic categories and devil-terms.

Yours sincerely, Russell Kirk

Incidentally, I am not opposed to all forms of discrimination in colleges. I believe we ought to discriminate against the charlatan, the fanatic, and the time-server. We ought to discriminate against the agent of subversion. And we ought to discriminate against the enemy of reasonable toleration.

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Three for a Cold Season

DAVID CORNEL DeJONG

Tell the Thin Skaters

Tell the thin skaters
to refrain from skating
while the evening sun
shines through them and
the dogs along the shore
bark through them and
their mothers may worry
in their central-heated
houses.

Coax the lithe skaters
from the lake, wrap them
in winter furs and then
fill them with hot cider,
sort them out, males and
females, mix them up again
to a composition speaking
for itself and begetting
children.

I have watched the skaters,
have wistfully envied
their speed, their mercurial
peregrinations, but I keep
issuing these admonishments,
because you see, having
been left for dead beneath
the ice I understand
mortality.

Tall Though You Be

Tall though you be, said
the bothersome years, we'll
take your measure; broad as
your shoulders are, we'll
contain and restrain you and
no matter where you pressed
your victims down in love or
ambition, we shall revive them
and they shall throw acid in
your face or whittle you down.

The answer I had was a simple
structure of hope and haste,
unremarkably clad in gray trousers,
scoffing at a bantam hat, a mouth
as innocent of prophecy as
a corporal's command. This is
a time and year of slight involvement
I said and went swimming in
deep water, running up a mountain,
testing my brawn insouciantly.

There they sit again, row on row
with strictures on bleachers
with regrets on picnic chairs,
the cumbersome years. I said:
Shake hands, Gentlemen! But they
keep waiting for more trenchant
speech, so that suddenly I know
how naked I am from swimming,
how knotted from running and
how pock-marked with sudden loves.

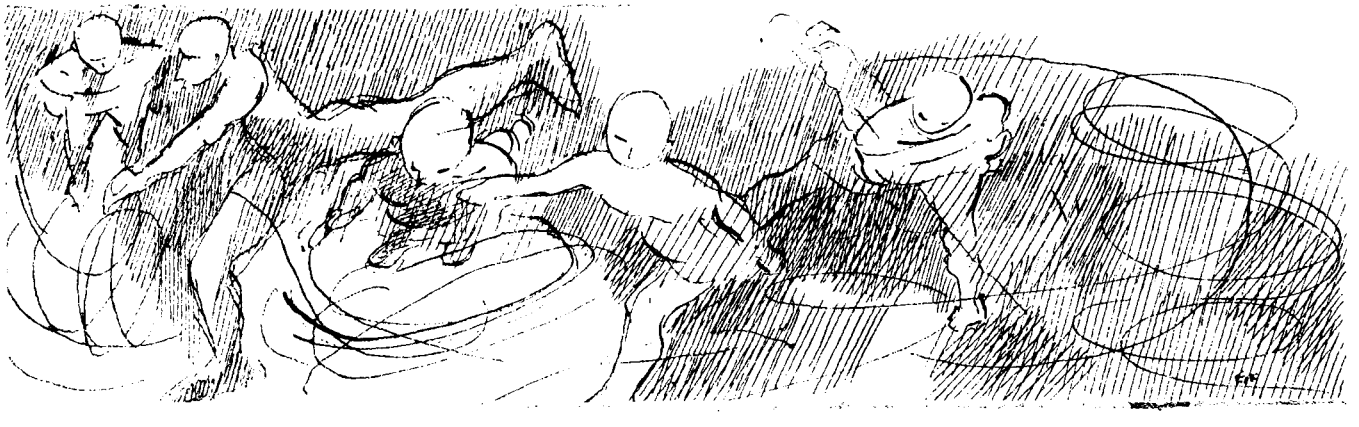
Nadir

Counted my toes
counted my fingers
touched the places
of my breath, found in
the strictures of winter
something to grin at;
never felt better.

Stacked for myself
a set of ambitions
as yet no more than
new year's resolutions,
sounded bells for
a gaggle of strangers
but was stared at.

Now this won't do,
said a fatherly cousin;
go shoulder a gun,
wave a flag or at least
sit on a bench and
think of Christmas
and be thrifty.

Counted my fingers,
ignored my toes,
made me figures
and multiplied numbers
then stood gravely in
a square protecting
everybody's gold.



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Mark Twain and Socialism

MAX EASTMAN

Back in the 1920s, one of our subsequently famous literary men, Van Wyck Brooks, invented the notion that Mark Twain, born to be a bitter and ferociously satirical critic in the manner of Swift and Voltaire, was "frustrated" by the American environment. This notion, set forth in a laughter-killing book called *The Ordeal of Mark Twain,* was caught up by Waldo Frank, Matthew Josephson and others, and lived quite a literary life. To make it plausible, Brooks had to represent life on the Western frontier when Mark Twain lived there as far more crude and ignorant than it was. And he had to represent the Elmira environment, and particularly the Langdon family into which Mark Twain married, as "stagnant," "densely provincial," "without traditions of moral freedom and intellectual culture," etc.

Bernard De Voto, who had lived on the Western frontier, demolished the western end of this story in his *Mark Twain's America;* and I, having lived in Elmira and been a close friend of the Langdons, refuted the eastern end in an essay called "Mark Twain's Elmira."[1] Between us we did not leave much of that rather prissy myth. I think it is dead. But neither of us realized what had been the motive and underlying thought in the minds of the myth-makers: that Mark Twain did not attack American capitalism from the standpoint of socialistic belief.

Mark Twain seems, indeed, never to have mentioned socialism in his published works, although his feelings toward the underprivileged and the working class were not sharply different from those of the socialists. He was so tender toward Negroes that his wife once suggested he adopt for himself as a rule of Christian behavior the maxim: "Assume that every man is black until he is proven white." His thought and feeling about the "proletariat" are conveyed in a speech he made to the Savage Club in London during the last years of his life.

> I am glad to be here, and to see you all again [he said] because it is very likely that I shall not see you again. . . . I have been received, as you know, in the most delightfully generous way in England ever since I came here. It keeps me choked up all the time. Everybody is so generous. It did not wait till I got to London, but when I came ashore at Tilbury the stevedores on the dock raised the first welcome—a good and hearty welcome from the men who do the heavy labor in the world, and save you and me from having to do it. They are the men who with their hands build empires and make them prosper. It is because of them that the others are wealthy and can live in luxury. They received me with a "Hurrah" that went to my heart.

This sounds so much like the underpinning of a socialist oration that you wonder why, among all his voluminous writings, Mark Twain never alluded to the idea of socialism, which was winning adherents by the million during his lifetime. He must have discussed it often enough with his close friend, William Dean Howells, who called himself a socialist. Probably the reason for this public silence was that he did not want to attack fellow champions of freedom and democracy because he thought their optimism was impractical. That was at least what he thought, and he said so privately in a conversation which Jervis Langdon, his wife's nephew, recalled in a little privately printed memoir. One of the company asked him what he, always for the underdog, really thought about socialism, and he replied: *"I can't believe in it—I can't even hope for it—I know too much about human nature."*

So it was good sense, then, and not "frustration," that made Mark Twain unsatisfactory to those youthful zealots of the socialistic evangel. He knew in advance what the subsequent fifty years have taught all of us who fell for the enticing notion that state ownership of the means of production would "emancipate the working class and therewith all society." It has enslaved the working class and therewith all society. And the basic reason why its prophets, with all the strenuous intellectual work they put in on the subject, did not foresee this, is that they had an old-fashioned romantic idea of human nature.

The Marxian doctrine caught hold so slowly that when it did swim into the ken of the intelligentsia, it was regarded as something quite excitingly modern. In the early years of this century, not to be a Marxist, or at least learnedly *au courant* with Marxism, was to be out-of-date—something, in fact, of an old fogey. It was rarely remarked, and still is rarely remarked, that Marxism itself was far behind the march of empirical science when it began to sweep through the world. This was most unquestionably true in every question resting upon a biological and psychological foundation. Marx and Engels *deduced* their conception of human nature from a rationalistic speculation about the nature of the universe, a sort of Hegelianism turned upside down, which they finished off twelve years before Darwin published *The Origin of Species.* That was seventy-five years before psychology was clearly conceived of—and first defined by MacDougall—as the science of human behavior. In plain terms, Marx and Engels were know-nothings in those disciplined inquiries which even during their lives were trying to get some grasp of the matters-of-fact upon which any sensible plans for the creation of an ideal society would

1. Published in *Harper's* Magazine for May 1938 and in my book, *Heroes I Have Known.*

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have to be based. Lenin, so far as my readings reveal, never looked into a book on these subjects.

I am not pretending that, should they look even now, they would find any lack of doubts and unanswered questions. But they were ignorant even of the terms in which these questions are presented. The whole subject as studied now, and for many years past—the distinction, for instance, between hereditary and acquired characters, the twin tendencies toward dominance and submission, the concept of suppressed hostilities and fears, the tendency to gang up under a leader, the survival of infant fixations—all that is today comprised in the phrase "behavioral science" was non-existent for the mind of Karl Marx.

"Man," he said, "is a complex of social relations. The individual has no real existence outside the milieu in which he lives." By which he meant: Change the social relations, change the milieu, and man will change to the extent necessary to produce the earthly paradise toward which, according to our philosophy, the dialectic universe is evolving. To the same effect, he said: "All history is nothing but a continual transformation of human nature," although the opposite statement would be as true.

That was all Marx had to say about this problem which, in a proper procedure, would be preliminary to the drawing of blueprints for such a "Society of the Free and Equal" as his program contemplated.

That Mark Twain's hawklike eyes looked straight through the pious mist and learned optimistic vapor with which the Marxian evangel was surrounded, especially for propagation in Anglo-Saxon countries, to this central weak point or vacuum, adds, I think, some cubits to his stature. His judgment was certainly not based on any special study of the behavioral sciences. It was a product of casual observation and shrewd common sense. But it seems worth remarking that Mark Twain's common sense was closer to what a mature science will say—what history has now so devastatingly said—on the subject of socialism, than the highly intellectual presumptions of those young men who so condescendingly regretted his "frustration" by the American environment.

Feather-Duster Brainwashing

PRISCILLA L. BUCKLEY

TODAY'S slick, colorful, intellectually-vapid woman's magazine is a far cry technically from *Godey's Lady's Book*, the first successful American entry into the magazine field for women. But, says Helen Woodward in *The Lady Persuaders*, a short, sharp and immensely amusing account of the women's magazines, today's slicks are still following the format evolved in the 1830s by Sarah Josepha Hale, an indomitable Boston widow, and developed by Edward Bok fifty years later—and that's why they are in trouble.

The Lady Persuaders, by Helen Woodward. Ivan Obolensky, Inc., $3.95

Until Mrs. Hale and Mr. Godey joined forces to publish their *Lady's Book* there was no publication in America to herald such a truly revolutionary development as Mrs. Montague's discovery of the detachable collar. (In a fit of pique one day, after a particularly heavy wash, Mrs. Montague snippped off all of Mr. Montague's shirt collars, and the detachable collar was born.)

Godey's Lady's Book was a service magazine. It gave useful health hints (avoid hot water in washing the feet since it "relaxes the fibers, drives the blood upwards, and occasions headaches"); instructed ladies on how to take care of good goose quills (in 1,200 well-chosen words); campaigned ever so gently for better education for "ladies" (a woman in those days was either a sinner or a slave), and generally, in what Mrs. Woodward describes as a "feather-duster" style, lectured its readers, exhorting them in the virtues of cleanliness, godliness and subservience to the head of the family.

There was little change in this format until 1889 when Edward Bok took over the editorship of *Ladies Home Journal*. At 26, Bok was the youngest, the best-paid and the only male editor of a woman's magazine. He took the job despite the warning of his mother that it would "cost you the high ideal you have always held of your mother's sex"—and it did.

Bok was a man of strong opinions on what was best for women, a man with decided ideas on what they would like. Right or wrong, he pursued a bull-headed course which soon made *Ladies Home Journal* the most stimulating magazine on the market. He was often wrong. His idea of an architectural gem was the old Tiffany mansion on Madison Avenue, "a dark grey, grim-looking . . . stone-age fortress." But by making a feature story of it, by running photographs of home interiors, Bok stimulated discussions of architecture and interior decorating among women. (That what he considered "good" taste was almost always "bad" was an esthetic, not an editorial, failing.)

The Bettman Archive
(Illustration from *The Lady Persuaders*)
"Hugging a Delusion"—woman suffrage

He was a great man for "causes" and a poor chooser of them—given his audience. He once showed by photograph and text how, in order to get an aigrette feather, the mother egret had to be allowed to die slowly and her nestlings to starve. Result: the demand for aigrettes quadrupled. Women who had never considered owning such a feathered adornment now realized how rare and valuable it was and hastened to buy one.

This is not to say that all of Edward Bok's crusades were flops. His

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series on "Dirty Cities" did much to encourage reform movements; he was moderately successful in monitoring false advertisement claims—particularly medical nostrums—in the pages of the *Journal.* Under him the various service categories which still make up the hard core of most women's magazines were systematized: fashion, etiquette, diet, cooking, household hints, medical advice. There was even counsel to the emerging white collar worker, most of it in this gloomy vein: "To be in an office where there are only men has never done a single girl any good; and it has done harm to thousands. . . . I know whereof I speak, and I deal not in generalities."

Bok, like Mrs. Hale, published what he himself liked, and that happened to be what millions of American women liked. Since his retirement, Mrs. Woodward maintains, the *Journal* and the other leaders in the general women's field, *Good Housekeeping, McCall's* (and the late *Woman's Home Companion*) have been magazines in search of a direction. Advice on how to reduce, half-baked psychiatric and medical opinions, instructions on grooming, make-up, care of hair and skin have replaced the earlier strictures on deportment, etiquette and home remedies for reddened skin (suntan) and other ladylike afflictions, but the pattern is the same. Today's magazine for women, like *Godey's Lady's Book,* patronizes its reader. It offers her nothing for the mind. Articles on current economics, foreign policy, on Communism, or Zen Buddhism, for that matter, have no place in its lavishly decorated pages. Instead, American womanhood continues to be fed intellectual pablum; cream-puff homilies on togetherness, one-worldism, loving one's underdeveloped neighbor. The only serious discussion centers on the pursuit, capture and subjugation of the American male.

It is for this reason, says Mrs. Woodward, that there is nothing in the general woman's magazine (as opposed to the specialized magazine: *Seventeen, Bride, Mademoiselle, House Beautiful, Parents' Magazine,* etc.) to interest the intelligent woman.

The Problem of Pornography

FRANCIS RUSSELL

WHEN I was serving my short term as a Harvard undergraduate at the fag end of the twenties there was one bookshop—which I later referred to fictionally as the Kelmscott—with an atmosphere so rarefied that it seemed almost a breach of etiquette to ask the proprietor the price of a book. There were on its shelves, between red leather lounging chairs, first editions of most English and American modern authors as well as such limited edition items as the Nonesuch Blake, etc. Here one went to buy the *Hound & Horn,* here the Joyce cult burgeoned a decade before it captured the Harvard Yard. One could buy *Ulysses* under-the-counter for $25 if one wanted to distract the proprietor, a long-nosed red-haired man in gold spectacles who usually sat in a leather armchair reading and smoking a rather incense-like tobacco mixture known as Mick McQuade. He used to open his shop at about eleven and close it at four or earlier, and he never seemed to care whether anyone bought a book or not. I always admired him in my freshman way as a man of independent means who was using that means as a contribution to culture and an antidote to academic stuffiness. Nor was I alone. Years afterward in the double issue American number of Cyril Connolly's *Horizon* an insider writing on the Cambridge scene remarked that many a Harvard undergraduate received more of his education at the Kelmscott than he did up the street at Seaver Hall.

The Smut Peddlers, by James Jackson Kilpatrick. Doubleday, $4.50

At about the time my connection with Harvard, in University Hall's eighteenth-century terminology, was "severed," the bookseller was arrested for selling a copy of *Lady Chatterley's Lover* to an agent of Boston's Watch and Ward Society who had disguised himself as a graduate student (to me the most fascinating aspect of the case). At once the Liberal world sprang to the martyr-bookseller's defense and many a hollow blow for freedom was struck in those next few weeks. Nevertheless the benighted knights of the Watch and Ward triumphed, and the bookseller was not only fined but, as I remember it, had to spend a month in the House of Correction.

I thought of that the other day when I saw the paper-backed *Lady Chatterleys* for sale on the racks of the Boston subway stands. I also thought of what I had discovered much later, that the avant-garde bookshop was really an esthetic front for a back-door smut trade. The leather chairs, the first editions that one was free to browse among, the leisurely atmosphere impregnated by Mick McQuade, the late openings and early closings, were all paid for by hard-core pornography.

Pornography is perhaps best defined by its Greek derivation—prostitute writing. Those grossly illustrated and perverted books did not pretend to any literary value. They were written by pen prostitutes to take money from the sexually depraved. The *Lady Chatterley* issue was typical. The Watch and Ward was after the right man for the wrong reason; the professional Liberals were defending the wrong man for the right reason.

THE DILEMMA of this false logic is something James Jackson Kilpatrick wants to avoid, while still coming to grips wtih the social evil of pornography. In *The Smut Peddlers* he explains how he went about getting himself on the mailing lists of large-scale dealers in obscenity both here and abroad in order to learn first-hand just what was going on in this rapidly expanding racket. Apparently what goes on makes the back room of the Kelmscott look old-fashioned. Mr. Kilpatrick, assuming the *alter egos* of Billy William, a prurient bakery salesman; Louis Rocco, a dealer in "novelties," and his perverted brother Joseph Rocco, answered sundry ads in "nudie" magazines. It didn't take long for the flood of mail to start, although to get to the depths took somewhat more time, effort and money. Appalling as it

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Books of Interest

Who Killed Society? by Cleveland Amory (Harper, $6.50). You've heard all of the names and most of the stories dropped before, but it's still as diverting as a chat with a slightly outrageous gossip.

Golk, by Richard Stern (Criterion, $3.95). A first-rate comic novel, full of flash, with something rather terrifying going on beneath the fun.

The Long Season, by Jim Brosnan (Harper, $3.95). From an amusing, literate pitcher who plays baseball because he's paid to, an account of the small glories, irritations and fears that make up a season in the majors.

The Process of Education, by Jerome S. Bruner (Harvard, $2.75). Professor Bruner demolishes such educationist favorites as "reading readiness" and all the other "readiness" recipes.

might seem to the uninitiated, what Mr. Kilpatrick collected in the way of books, photographs, records and films would be routine to postal inspectors all over the country. For the obscenity racket, organized through syndicates, wholesalers and distributors, is run so efficiently that it takes in half a billion dollars a year. The saddest thing is that much of the distribution is geared to children and adolescents, their names culled from school directories and harmless mailing lists. According to post-office estimates a million children a year are selected to receive such mail.

As a newspaper man and the editor of the *Richmond News Leader,* Mr. Kilpatrick is as concerned with limitations of freedom of the media of expression as a professional Liberal like Morris Ernst, whom he quotes at length in his book. For Mr. Ernst, however, the fact of censorship itself is more obnoxious than the thing censored. His breadth of vision is apparently wide enough to encompass "feelthy" postcards in every bureau (sold to those under eighteen only by doctor's prescription!) and a bust of Trujillo on every mantel. Mr. Kilpatrick does not feel he can afford such cheerful astigmatism, not after what he has found in his mailbox!

The material itself, what to do about it, what has been done about it; how the laws against obscenity operate, how they change; the case for and against censorship, public law and private action—all this forms the substance of *The Smut Peddlers.* It bears a lot of thoughtful consideration, and if Mr. Kilpatrick does not solve the dilemma of freedom versus repression, it is because the problem is considerably older than he is and the solution at best a pragmatic one. That this is so may be seen again in the recent exchange between the Archbishop of Canterbury and the Bishop of Woolwich when the latter appeared as a character witness for *Lady Chatterley,* and, for maintaining that "Christians should read it," was rebuked by the Archbishop.

I am grateful to Mr. Kilpatrick for his book, for presenting the many facets of this perennial problem that must be perennially faced. I think the Bishop was right; I think there might even be a high and inaccessible place in the library for the works of Henry Miller; but I am also certain that the deluge that flooded Mr. Kilpatrick's mailbox is a sign of a society's decay. The worst evil of such pornography, as Lawrence pointed out, is that it pollutes the well-springs of our life-force. Flaubert called brothels the "slaughterhouses of love." The Kelmscott, for all its arty approaches, was a slaughterhouse of culture. The real evil of the hard-core pornography that solicits a million of our children a year is that, for a new generation, it murders love.

Theater

Rhinos—and Not Much Else

PETER MELIK

After the first act curtain had fallen at the Longacre the other night, I stood out on West 48th Street, enjoying the post-blizzard thaw, but rather guiltily reading the blow-up photostats of the leading New York reviews. To a man, they were enthusiastic, and a couple turned handsprings. Eugene Ionesco's play about the people of a small town turning into rhinoceroses seemed to them the finest and zaniest inspiration of the season. I returned, chastened, to my seat, yielded myself as emphatically as possible to Acts Two and Three, but came away feeling just as I had felt a couple of hours before—somewhere between seriously bored and ruefully indifferent.

A day or two later, in the Parisian weekly *Arts,* I read a letter from Ionesco himself. He had just returned from New York, and he was appalled. The Longacre production, he claimed, had nothing to do with his original text. "It seems that the Americans only wish to see in the play a critique of 'American conformism,' whereas it was a critique of totalitarianism that I was making. . . . The intention of the play was to describe the process of Nazification taking over a country."

Well, now, certainly, in the translation of Derek Prouse, as directed by Joseph Anthony, *Rhinoceros* has nothing specifically to do with Nazis. It does not even deal with political totalitarianism in general. It is about an anonymity that can take place in the soul, and the fatal ease with which an individual can literally lose his face. But I'm afraid that even if Messrs. Prouse and Anthony had not widened Ionesco's focus, even if they had given us only what he apparently intended—an avant-garde *The Moon is Down*—the evening would have been enervating all the same, and that's what I'd like to inquire into here.

On the plaza of a small provincial town one bland Sunday morning, a grossly self-satisfied prig named John is badgering his friend Berrenger. The latter is gentle, sloppy, mildly alcoholic, the eternal square peg who is not afraid to have an independent opinion. John offers him

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standard good advice: improve yourself, read a good book, go to a concert, see an avant-garde play (behind them, there is a poster announcing performances of *Rhinoceros*).

As they talk, other people pass by—an old maid with a cat, a bar-maid with a fetching behind, a trio of logicians. Then suddenly there is a racket. Everyone looks up, or out at the audience, and lo! a real rhinoceros thunders by. The dust has hardly settled before another appears, this time trampling the cat. Everyone is frightened. Confusion ensues, and as the curtain comes down, anti-climax begins. For in the remaining acts, the rhino is out of the bag. There isn't much else to say. People try to believe those herds are not really their ex-neighbors, but then, one by one, their own foreheads are itching, and a green, hairless hide replaces their skin. Finally only Berenger remains, God's last non-rhino on earth, and he promises us, rather predictably, that he will not surrender.

THE PRODUCTION throughout is first-rate. Joseph Anthony has directed with a maximum of resourcefulness, and there are minutes, here and there, where by sheer staging or tempo, he has made things snap. The performances, too, are alert and imaginative. Zero Mostel's second act cadenza, in which he turns into a rhino before our eyes, has been universally acclaimed. I myself was just as delighted by what Anne Jackson did with a dumb-blonde secretary—flipping her leg up at the knee in a mincing caricature of daintiness and coquetry that deliciously mimicked Tillie the Toiler and Etta Kett, those winsomely stylized comic-strip heroines out of my childhood.

But none of this kept me from feeling progressively restless—and the fault, I am sure, was all Mr. Ionesco's. He has had a good idea: that when people neglect to be active individuals (or resist Nazis, or whatever), they revert to a lower species. But that is almost all that he contributes to the evening. He has not quite written a play; or rather, the incarnation he made of his idea is lame. Perhaps he is just not a very ample dramatist, but I suspect that part of the trouble lies in an over-simplified and meretricious theory about the theater, which he expressed, a couple of years ago, in the *Nouvelle Revue Française:*

> If the essence of theater lies in the exaggeration of effects, then one must increase the exaggeration, underline it, accentuate it to a maximum. . . . No drawing room comedies; instead, farce, parody, caricature, extremity. Humor, yes, but with burlesque means. A hard comedy—no finesse. Rush everything to paroxysm, which is the source of the Tragic. Make a theater of violence: violently comic, violently dramatic.

In the first place, *Rhinoceros* is not very violent, for all its off-stage stampedes. An awful lot of it is simply undistinguished talk, which not even Mr. Anthony can do much about. But even if it were more inventively violent, even if Mr. Ionesco had something like Chaplin's, or Harold Lloyd's gifts for extreme burlesque, even then, I think he would be hard put to adapt this to a full-length stage play. For farce, parody, caricature, in the extreme form he prescribes, are hard to sustain. They have always been best accommodated to vaudeville, where the acts are five minutes long, or to the equally brief episodes in silent film comedies. But a three-act play cannot work in five-minute bursts. It occupies some 200 minutes, a serious span of time. There must be a complex substance which will allow exposition, development, resolution.

In *Rhinoceros,* Mr. Ionesco's gist consists in a single metaphor. He has nothing to develop. His characters are cartoons. Once or twice, he attempts to enliven the dialogue by a kind of giddy, counterpart repartee (two unconnected conversations overlapping each other). But when his rhinos have come by the second time, he has no surprises, or revelations, left. Paucity sets in, and for the rest of the evening, an exceptionally nimble company of actors is left with little to get their talents into but their own presence on stage.

BOOKS IN BRIEF

GOALS FOR AMERICANS, *The Report of the President's Commission on National Goals,* by Henry M. Wriston *et al.* (Prentice-Hall, $3.50). It is possible to read the decline of American principle in the permutations of American rhetoric. Where once our statesmen spoke of liberty and individual vigor, current discourse is burdened with "public sectors" and "national purposes." In trying to combine the old and the new, this collation of essays and legislative proposals is notably unsuccessful. It unblushingly invokes freedom to support government intervention, American interests to sanction foreign surrenders. The contradictions are unavoidable, for the Commission made the mistake of beginning its effort with a discussion of first principles. And the clearest fact to emerge from the discussion is that, in America, government is empowered to establish "goals" for no one. M. S. EVANS

THE STORY OF MOUNT WASHINGTON, by F. Allen Burt (Dartmouth Publications, $6.50). Although Mount Washington is not very high (6,288 feet), it is still the highest mountain in New England and one of the highest east of the Mississippi. Also it has a respectable colonial history, for it was first climbed by Darby Field in 1642 (for reasons unknown) long before most American mountains were even discovered. People began to climb it with some regularity in the next century and they have been climbing it ever since. In our day 50,000 get to the top annually either by the delightfully archaic cog railroad, or by the carriage road, or self-propelled. Yet in spite of all that commuting and in spite of a lunch bar with coffee and hot dogs at the summit, the mountain isn't spoiled. It might be, but it isn't. And anyone who climbs it by way of Boott Spur or Lion Head can still feel pleased with himself. Despite lunch bar, weather observatory, radio tower and assorted buildings, Washington is not a mountain to be taken lightly. Thirty-three have died on it, the last three only three years ago. These casualites are all listed in the appendix of F. Allen Burt's en-

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compassing history of the mountain. His book is a labor of love, not to say filial piety, for his father and grandfather edited that high altitude newspaper *Among the Clouds*, published for many summers at the summit. *The Story of Mount Washington* is a sprightly compendium of everything connected with the mountain's history from the geology, flora and fauna to skiing and foot and car races to the summit. A casual reader may find himself overwhelmed at times with information, but not certainly anyone who has skied in Tuckerman Ravine or followed the cairns above the treeline or spent the night at the Lake of the Clouds shelter.

F. RUSSELL

THE DIARY OF SOREN KIERKEGAARD, edited by Peter P. Rohde, (Philosophical Library, $4.75). Here is one of the moles of the modern mind seen burrowing in his own congested experience. Each of the great modern nihilists—Nietzsche, Dostoevski, Baudelaire, Freud, Kafka—shaped his thought out of a highly personal experience which somehow follows, with uncanny precision, a similar pattern. The pattern is one of estrangement, polarized by relations with the all-important father and with the bride-to-be, before whom courage to claim another person for one's own fails. Kierkegaard's life is one of the clearest enactments of this dream: his devotion to and disappointment in his father colored all his thought on Abraham and even on God; his surrender of Regina became a paradigm of choice and tragic freedom, of love and surrender. Out of the endless self-scrutiny, the journals written almost as regularly as he breathed, a representative selection has here been made, but with lengthy notes written for a reader who does not know who Swift was nor what "prostitute" means.

G. WILLS

THE GENTLE LEGIONS, by Richard Carter (Doubleday, $4.50). For evidence of how far we have gone in relying on government as a cure for everything that ails us, consider this fact: the National Institutes of Health in Washington annually spend $240 million more, on medical research and related fields, than do the ten leading voluntary health agencies combined. That doleful fact, among others, leads Richard Carter to conclude that ours is an age in which voluntarism "seems to be going out of vogue." It is nonetheless comforting to find that 15 million volunteers manage to make private health agencies one of the largest social movements in the United States. Tracing the history of volunteer charity efforts, Carter throws considerable light on the little-understood workings of the charity agencies, and expresses a few well-taken misgivings about massive "united fund" drives. He also has some refreshing words to say about the urge of some volunteers to find a patronizing "self-fulfillment" in their work.

A. E. GOLLAN

TAXES FOR THE SCHOOLS, by Roger A. Freeman (The Institute for Social Science Research, $5.00). In 1958, Roger Freeman struck a mighty blow at the educationist bureaucracy by refuting, in his *School Needs in the Decade Ahead*, the pervasive myth that America is suffering from a grievous shortage of classrooms and teachers. In the present work, he turns his attention to methods of financing future school needs. While he makes many telling points against federal aid and higher income taxes for education, he here suffers from a besetting sin of many conservatives: the urge to be "constructive." To be constructive usually means to accent the basic frame of reference of the opposition and to work within it: in this instance, to concede that government school budgets *have* to be increased in the coming decade. As a result, Mr. Freeman finds himself advocating with enthusiasm the raising of sales and property taxes and assessments, without considering the blighting effect on property construction and improvement. Nowhere does he consider such fundamental reforms as cutting the budget, eliminating compulsory attendance laws, encouraging private schools, or charging fees for public school attendance.

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To the Editor

Barry Goldwater

Willmoore Kendall's "Quo Vadis, *Barry?*" [February 25] may not please those who see Senator Goldwater as the long-awaited leader come to recapture the two-party system and save the country from dictatorship. It does, however, prove that realignment of the Right and Left will not and cannot be effected from the top.

No matter how conservative his conscience, the Senator is but one gear in a political machine for which the rank-and-file Republicans provide the power. Without them, the machine goes dead. If they adopt the strategy of voting for conservatives without regard for party labels and (when both candidates are Liberals) defeating all incumbent Liberals, they can do for themselves what no one can do for them. They can create two active opposition parties, equally matched because seniority will compensate conservatives for lack of numbers.

New York City MILDRED WILLIS HARRIS

I read the Goldwater *Statement* and thought it was tremendous. It seems to me that critics such as Willmoore Kendall ought to make a few distinctions more clearly: A political program (such as the *Statement*) is not the same as a book expressing a political philosophy (such as *The Conscience of a Conservative*), and a university professor is not in the same position as a practicing politician.

We need an uncompromising position based on sound principles—expressed in magazines such as NATIONAL REVIEW and by organizations such as the Young Americans for Freedom—and we should make a great deal of fuss and noise in advancing these principles, in order to swing the political forum to the Right. But when it comes to evaluating a candidate for political office, or supporting an incumbent who is basically on our side, let us allow for a little more compromise. His day-to-day political position may not be 100 per cent correct ideologically, but look at the people who are allowed to vote nowadays! Conservatives have a great deal of political organizational work to do before they can rightfully expect the *Statement* to read like the *Conscience*.

Savannah, Ga. MONROE JENSEN

Our Man in Katanga

The mail must be slow to the Congo these days, for in the November 5, 1960 issue of NATIONAL REVIEW James Burnham wrote:

"Lumumba would have disappeared long ago if he had not been protected, physically and politically, by the UN troops and policies. He would have been arrested, sentenced, quite probably executed, perhaps eaten for breakfast by his opponents. *Or he would have been assassinated*—indeed, it is a foolish, or cowardly, oversight on the part of his opponents that he has not been."

This certainly seems to be the follow-up to the ad on the back page of that same issue, "How National Review Analyzed The Congo's Anarchy Before Independence Day in Leopoldville."

You can expect Moise Tshombe on your doorstep any day now to find out what he's going to do next.

Brooklyn, N.Y. R. S. TOWNSEND

Liberal Intellectuals

I think Francis G. Wilson ["Democracy: Weather Report," February 25] makes a very important point when he notes that Liberal intellectuals, dominant today, are all too often "associated with Liberal *causes*." They are. Yet to be so identified is really to engage in what might be called "extra-intellectual" activity, and conservatives should remember that it is not their business to replace Liberal egghead political dilettantes with *conservative* ones, but rather to keep such people where they belong.

New York City GEORGE F. HOBART

When to Recognize

Has NATIONAL REVIEW joined the ranks of those 98 per cent who look upon the recognition or non-recognition of Communist China as a matter of moral approval or disapproval? In "The Week" [February 25], you agree with Lord Home that, in general, recognition should be extended to any regime regardless of our moral judgment of it. I join with you in this principle. But then you seem to imply that in the case of China, matters are different. Here I beg to disagree. The true rationale of our non-recognition policy of China is not moral disapproval. . . .

In our war with the forces of Communism, the enemy has occupied a country and defeated our ally, the government of that country. An ally may cease to exist, either when all his forces are killed or captured, or when, though physically alive, they are deprived of any foothold of the territory they are defending. Our ally, the government of China, has fortunately not ceased to exist. The situation is not dissimilar to that of Belgium during the First World War, when the King of Belgium continued to occupy a small corner of his country which otherwise was totally occupied by the Germans.

To recognize now the Communist government, which—nobody denies it—is in de facto control of the mainland of China, is the equivalent of what diplomats call a "separate peace," that is, the abandonment of one's allies and the fight in a common cause. The government of China would be converted, by our act of recognition, into a kept auxiliary force, comparable, let us say, to the forces of General Anders of Poland during the Second World War. General Anders was a most welcome addition to our fighting strength, but, not controlling any part of Polish soil and not having any legitimacy as an instrument of the Government of Poland, he could not be an ally. Recognition of Red China means the killing of our ally, the Government of China, with our own hands. It means that we conclude a "separate peace" in the war for Chinese territory. It means that we accept the

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Communist regime as legitimate and, therefore, final. . . .

Lord Home argues that one cannot pretend that Red China does not exist. Should we not argue that one cannot, must not, dare not deny that Free China exists, as a political and military entity, reduced in territory, but still representing the entire Chinese nation? That is the true reason for our refusal to seat Red China either among the recognized nations of the world or at the conference table of the UN. Moral judgment of either the Red Chinese or Chiang Kai-shek has little—or should have little—to do with it. Your principle, sir, holds good, even in the case of China.

Notre Dame, Ind. GERHART NIEMEYER

In the editorial paragraph to which Prof. Niemeyer refers, we find nothing inconsistent with his own illuminating statement, which NR fully endorses. —ED.

Who?

In the issue of February 11 ["Books in Brief"] P. L. Buckley writes "who not to hire. . . ."

Again Professor E. Digby Baltzell writes ["The Celebrity and the Gentleman," February 11] "nobody now gives a damn *who* you sleep with."

This may be good vernacular but it ain't the best English.

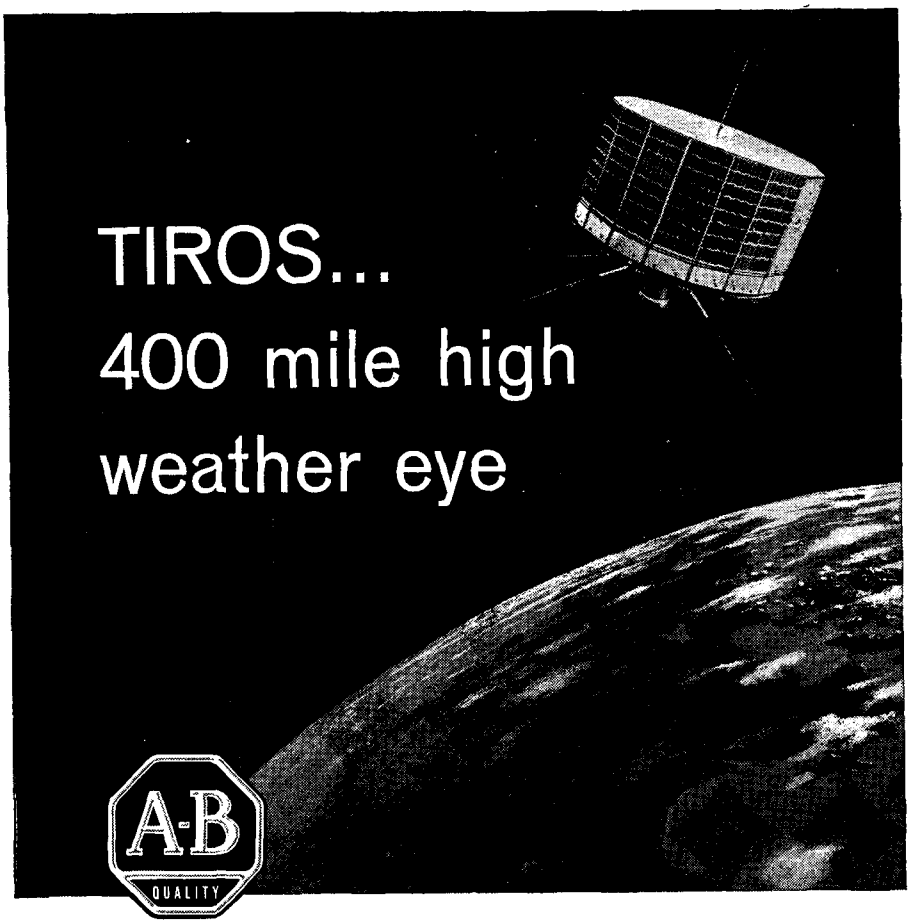
New York, N.Y. ISKANDER HOURWICH

The best English isn't always good vernacular! (In above examples, P.L.B. was wrong, E.D.B. quite okay.) —ED.

Potential 'Traitors'

The reason why conservatives fail to capture control of the Republican Party leadership and so direct its movement is illustrated by Peter Crumpet in his letter in the last issue [February 25].

Since many conservatives threaten to betray the party in order to reach their own long-term objectives, among them the election of Goldwater in '64, it is not very unreasonable for the current leadership to wonder about the advisability of including these potential "traitors" in any reorganization plans. The conservatives too often strive for principles without the proper regard for political reality. Their perspective of the political scene is clouded over by the rampaging, uncompromising de-



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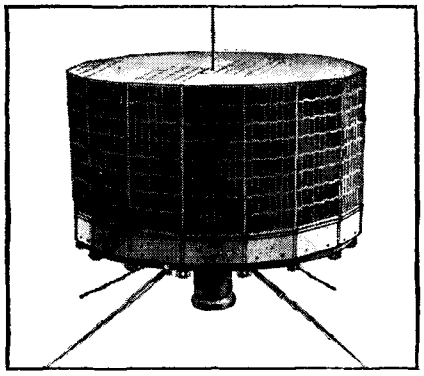

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sire for the achievement of certain ideals, and they fail to see that the election of Goldwater could not in all possibility change the present trend toward . . . centralization.

A more germane approach would be to work for the election of a conservative Congress and to struggle for the appointment of a conservative judiciary. It would indeed be much more practical for conservatives to translate their political ideals into realistic political action within the Republican Party, a course which even Senator Goldwater has so heartily endorsed. . . .

New Brunswick, N.J. LAURENCE A. HECKER

Leon Uris' Facts

In "Epic, Epic, Who's Got the Epic?" [February 11], Francis Russell says of Leon Uris: "He makes an extraordinarily painstaking effort to be factually correct. . . . Uris, though himself a scripter, is an honest man."

Exodus is an historical novel, which means that an invented plot takes place in a setting that really did exist. Many people, including Russell, seem to think this is "chocolate-coated" history. It is no such thing. It is a clever distortion of history, for the express purpose of creating a one-sided polemic for Zionism. To this end, Uris uses considerable discrimination in his choice of historical facts. He includes some, to give the whole the aura of authenticity, while omitting others that might prejudice his case.

For instance, the Balfour Declaration reads "His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavors to facilitate the achievement of this object, *it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.*" Uris printed the first part of the statement, but ignored the emphasized part. . . .

Chicago, Ill. ELIOT BERNAT

Mr. Creeley's Poem

In "The Name" [February 11] Robert Creeley *wasn't* saying, be good, sweet maid, and let who will be clever (in which case I shall be forced to cancel my subscription), was he?

West Hartford, Conn. ALOISE B. HEATH

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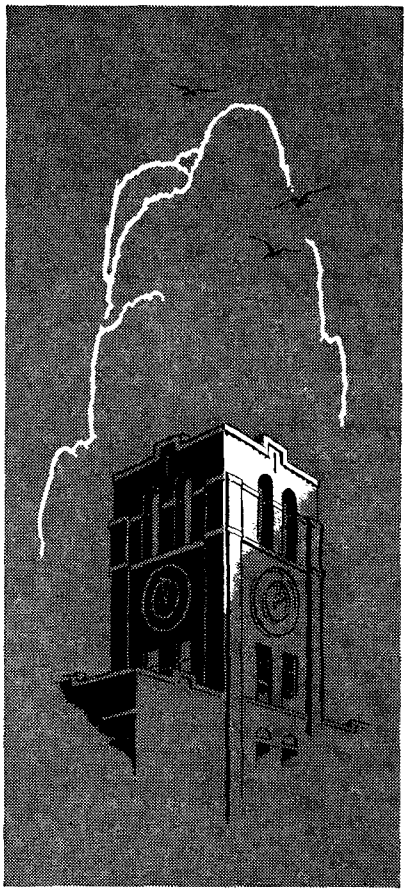

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